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The Honourable RAYMONDE GAGNÉ,
Speaker

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THE SENATE

Tuesday, September 24, 2024

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

CANADIAN ARMED FORCES

FALLEN HEROES: THEIR JOURNEY HOME DOCUMENTARY

Hon. Marty Klyne: Honourable senators, the Canadian Armed Forces have a long and proud history, from the world wars to the Korean War to peacekeeping missions around the world. As defenders of freedom and human rights, Canadian soldiers, sailors and flyers have consistently demonstrated courage, leadership and compassion, earning international respect. Our forces' contributions to global peace and security have included vital roles in the North Atlantic Treaty Organization, or NATO, and other alliances.

Following September 11, Canada's role in the war in Afghanistan was particularly significant. Our forces took command in key regions, carried out critical missions and formed strong bonds with local communities.

A new documentary, titled *Fallen Heroes: Their Journey Home*, tells the story of Canadian soldiers who served in Afghanistan. After 14 years of extensive research, the filmmakers have delivered a tribute that goes beyond recounting military battles. The film sheds light on the emotional and psychological challenges members of our forces faced when returning home. The film helps to bridge the gap between their experiences and the Canadian public's understanding, as many people are unaware of the gravity of Canada's longest war.

The film highlights key battles with the Taliban and the important role Canada played during our 14-year mission. As part of NATO, Canada commanded combat operations in Kandahar, often in the most dangerous regions. The film captures Canadian warriors' unique contributions, not just through their military prowess but also through their compassion, respect and cultural sensitivity. Soldiers often read the Quran before deployment to better understand and respect the Afghan people they aimed to protect and help.

Canada's mission involved over 40,000 soldiers deployed, and 159 members of our Armed Forces and 4 civilians lost their lives, with many more members returning with both visible and invisible wounds. The film is a crucial historical record, preserving the legacy of our men and women in uniform for future generations. It serves as a solemn reminder of the ongoing cost of war, including the estimated 200 suicides of forces members since their return home.

Through exceptional storytelling, *Fallen Heroes: Their Journey Home* honours the courage and sacrifices of those who fought, educates viewers and inspires Canadians' gratitude for our exceptional military. The film is a must-watch.

May we never forget and forever honour our men and women in uniform who served in Afghanistan and who stand on guard at the ready.

Some Hon. Senators: Hear, hear.

AGRICULTURAL MEETINGS IN YUKON

Hon. Pat Duncan: Honourable senators, for millennia Indigenous peoples have been guardians of this land we call Canada. The First Peoples graciously shared their traditional harvest and ways of being. Caring for the land, they welcomed and sustained newcomers.

Today I would like to express my thanks to those who harvest and sustain Canadians, specifically members of the Canadian Federation of Agriculture and the Federal, Provincial and Territorial Ministers of Agriculture who held their annual meeting in Whitehorse in July this year. I was especially grateful to welcome our colleagues Senator Robert Black and Senator Mary Robinson and their spouses on their first visit to the Yukon. The presence of our colleagues at these annual meetings of key individuals, farmers and politicians afforded an ideal opportunity to highlight the excellent Senate report entitled *Critical Ground: Why Soil is Essential to Canada's Economic, Environmental, Human, and Social Health*.

It was also an opportunity for our visitors to learn and come to know the history and current state of agriculture in the Yukon. Yukon's agriculture minister, John Streicker, ably shared the reality of the increase in agricultural food production in the Yukon. While a market share increase from 2% in 2015 to up to 7% in 2021 might not seem like a large amount to my colleagues with your populations of millions, you must recognize the very real difference that exists in the Yukon today. Growing up in the Yukon, almost everything came up the Alaska Highway by truck from Edmonton. Now I go into the local grocery store and, in the summer, to the market to buy locally produced eggs, locally milled flour, a large number of vegetables and local meat products.

For those of us with less time for meal preparation, Yukon's airline Air North began offering their bison shepherd's pie — served on their flights at no charge to passengers — in the frozen food section of my grocery store, and local bakeries and chefs have added cakes, cookies and other meals using locally sourced ingredients in other ready-to-reheat offerings.

While awareness and understanding of agriculture, farming and feeding the North grew throughout the visit, the information sharing that took place was not only about the North. Our colleagues and visitors from elsewhere in Canada were so helpful

to Yukoners by openly sharing their experiences and knowledge and offering their assistance — the best in Canada sharing with one another the best we have to offer one another.

It was not the first time the Yukon has hosted an agricultural conference of note. In 1992, Whitehorse hosted the first ever Circumpolar Agricultural Conference. As our world turns ever more toward the circumpolar north with an eye on security, including food security, I look forward to the revival of interest in the proceedings of these conferences with my Senate colleagues and with the Yukon Agricultural Association and the Yukon government.

Thank you, *mahsi'cho, shàw nithàn* to my fellow Yukoners who successfully ensured the warm welcome and learning experience offered our visitors, and to our visitors who travelled to the Yukon and got to know us and grow with us. Thank you.

Some Hon. Senators: Hear, hear.

EMANCIPATION DAY

Hon. Wanda Thomas Bernard: Honourable senators, I rise today, grateful to be on Algonquin Anishinaabe territory, to share some exciting reflections on Emancipation Day 2024.

This year, I had the distinct privilege to welcome Senator Moodie, Senator Clement and Senator Gerba to my home province of Nova Scotia to commemorate the one hundred and ninetieth year since the emancipation of slavery. Together we witnessed the unveiling of a plaque commemorating the national historic significance of the Jamaican Maroons on Citadel Hill in Nova Scotia, we experienced the opening of “A History Exposed: The Enslavement of Black People in Canada” exhibit at the Canadian Museum of Immigration at Pier 21 and we engaged with community members during our round table discussion on the importance of Emancipation Day.

We also attended an event in Truro, Nova Scotia, celebrating 50 years of the Apex Invitational Golf Tournament with an extraordinary speech by the one and only Lawrence Hill. This is more than a game. These folks have a legacy of providing scholarships to African Nova Scotian students to inspire and support them.

• (1410)

These moments of connection and reflection were deeply meaningful, and I am grateful to have shared them with my colleagues. Being able to discuss our shared histories, listen to community voices and stand together in recognition of this significant day was truly impactful.

There were events and celebrations held across the country, as more organizations recognize the significance of Emancipation Day to all Canadians. Whether it was at the Canadian Museum of History, the 162nd Owen Sound Emancipation Festival, Upper Canada Village, the town of Guysborough, the United for Literacy organization, the Dartmouth Heritage Museum or Veterans Affairs Canada, people of all ages and races gathered to reflect, remember and recommit to leading the change they want to see in their communities.

[Senator Duncan]

Since national recognition of Emancipation Day began in 2021, we have seen more and more events across Canada. Honourable colleagues, it is my hope that Canadians will continue to build on this important milestone, and I encourage all of you to bring awareness of Emancipation Day to your communities in the years ahead and to join me as I celebrate my birthday on Emancipation Day.

Thank you.

Some Hon. Senators: Hear, hear.

[Translation]

MONTREAL NORTH HEALTH FAIR

Hon. Marie-Françoise Mégie: Honourable senators, the fifteenth Montreal North Health Fair will be held this Saturday, September 28. This activity is designed to help meet people's needs in terms of physical and mental well-being.

Over the course of the day, over a hundred health care professionals will answer questions of concern to participants of all ages from all over Greater Montreal.

Services will be available not just in French, but also in Creole, Arabic, Spanish, English and other languages. The focus of the event is prevention, and all participants will have access to tips on healthy living, referrals and other resources in a welcoming and relaxed atmosphere.

I would like to thank all of the volunteers who, year after year, make the Montreal North Health Fair the great success that it has become. The region's CISSS also frees up staff for the event and provides the materials needed to screen people for certain diseases, such as diabetes.

Participants will also learn more about many other chronic diseases, such as high blood pressure, sickle cell disease, glaucoma, children's vaccinations, and so on.

The volunteers take into account all aspects of well-being, including eye health, oral health, sexual health, mental health, and so on. Special care will be taken to address the needs of children and seniors.

Several associations of Haitian doctors and nurses, including the Fondation des médecins canado-haïtiens, the Association des médecins haïtiens à l'étranger and the Ralliement des infirmières et infirmières auxiliaires d'origine haïtienne du Canada, collaborated to create the health fair. The goal is to break down language barriers that lead to cultural isolation, reduced uptake of screening and treatment for certain diseases, poor lifestyle habits within communities and stress related to immigration status.

Honourable senators, it will be my honour to open the fifteenth Montreal North Health Fair. I hope this kind of initiative will have an impact across Canada in terms of helping immigrants integrate and enhancing our intake capacity. Thank you.

Hon. Senators: Hear, hear.

ROUTINE PROCEEDINGS

CRIMINAL CODE

BILL TO AMEND—TWENTY-SEVENTH REPORT OF
LEGAL AND CONSTITUTIONAL AFFAIRS
COMMITTEE PRESENTED

Hon. Brent Cotter, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Tuesday, September 24, 2024

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

TWENTY-SEVENTH REPORT

Your committee, to which was referred Bill S-250, An Act to amend the Criminal Code (sterilization procedures), has, in obedience to the order of reference of April 20, 2023, examined the said bill and now reports the same with the following amendments:

1. *Clause 1, pages 1 to 3:*

- (a) On page 1, replace lines 11 to 22 with the following:

“**268.1 (1)** For greater certainty, a sterilization procedure is an act that wounds or maims a person for the purposes of subsection 268(1).

(2) In this section, *sterilization procedure* means the severing, clipping, tying or cauterizing, in whole or in part, of the Fallopian tubes, ovaries or uterus of a person or any other procedure performed on a person that results in the permanent prevention of reproduction, regardless of whether the procedure is reversible through a subsequent surgical procedure.”;

- (b) on page 2, delete lines 1 to 36; and

- (c) on page 3, delete lines 1 to 9.

Respectfully submitted,

BRENT COTTER

Chair

(For text of observations, see today's Journals of the Senate, p. 3037.)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Cotter, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

[*English*]

THE SENATE

NOTICE OF MOTION TO AFFECT PROCEEDINGS
ON BILL C-76

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding any provision of the Rules, previous order or usual practice, in relation to Bill C-76, An Act to amend the Canada National Parks Act:

1. if the Senate receives the bill, it be placed on the Orders of the Day for consideration at second reading later that day, as the first item of Government Business if received before that point in the sitting, or, if received after that point in the sitting, as the next item of business, and the sitting not adjourn that day before the Senate has begun proceedings on the bill at second reading;
2. if the bill is adopted at second reading, it stand referred to the Standing Senate Committee on Energy, the Environment and Natural Resources;
3. the committee be authorized to meet at any time for the purposes of its consideration of the bill, subject to the availability of necessary services, whether the Senate is then sitting or adjourned;
4. the committee be authorized to report the bill at any time the Senate is sitting, except during Question Period;
5. if the committee reports the bill without amendment, the bill be placed on the Orders of the Day for third reading later that sitting, provided that if the report is presented after the point where the

Senate would normally have dealt with the bill at third reading, the bill either be taken into consideration at third reading forthwith, or, if another item is under consideration at the time the report is presented, the bill be placed on the Orders of the Day for consideration at third reading as the next item of business;

6. if the committee reports the bill with amendment or with a recommendation that the Senate not proceed further with the bill:

(a) the report be placed on the Orders of the Day for consideration later that sitting, provided that if the report is presented after the point where the Senate would normally have dealt with the report, it either be taken into consideration forthwith, or, if another item is under consideration at the time the report is presented, it be placed on the Orders of the Day for consideration as the next item of business; and

(b) once the Senate decides on the report, the bill, if still before the Senate, be taken into consideration at third reading forthwith; and

7. once debate begins at any stage of consideration of the bill, unless a vote is deferred, the debate not be adjourned, with the sitting continuing beyond the ordinary time of adjournment if required to complete debate at that stage.

• (1420)

[Translation]

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO MEET DURING
SITTING OF THE SENATE

Hon. Paul J. Massicotte: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to meet on Tuesday, September 24, 2024, at 5:30 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

[Senator LaBoucane-Benson]

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

QUESTION PERIOD

INFRASTRUCTURE AND COMMUNITIES

AFFORDABLE HOUSING

Hon. Donald Neil Plett (Leader of the Opposition): Government leader, according to their very own housing authority, your incompetent NDP-Liberal government is failing to build the homes that Canadians need. Last week, Canada Mortgage and Housing Corporation, or CMHC, reported housing starts across Canada dropped 13% in August, year-over-year. So far this year, in my province of Manitoba, housing starts have dropped by 14% as compared to last year, and there weren't enough homes being built even then. Housing starts in Winnipeg fell 16% over the same period. Down payments, mortgages and rent have all doubled, and now this.

Tell me, leader, why should Canadians believe anything that your NDP-Liberal government is saying and whether or not they even have a clue as to what they are doing when it comes to building houses?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. This government is very aware of what needs to be done to build houses in this country and is taking important steps, along with its counterparts in the provinces, territories and, indeed, municipalities, to put into place a suite of measures to increase the supply of housing.

As anyone who has been in the apartment or housing business knows — and I can speak with some experience in this matter personally — certain initiatives take time to get off the ground, and there are seasonal ups and downs. It is regrettable that housing starts have slowed, but the measures that the government has put in place, which I would be happy to elaborate on if given more time, are expected to bear fruit. Canadians can have confidence the government is doing its part to address this important problem.

Senator Plett: Well, let me tell you, Senator Gold, I also have experience in this. I spent my lifetime in construction. This incompetent Trudeau regime has caused this crisis. You say they are very well aware of it. That, we understand. What we don't understand is why they can't figure out what to do about this.

We are well into a full-blown housing crisis, yet housing starts fell during the summer construction season. During the construction season, they fell. Isn't that incompetence, leader? Isn't that another reason why we need a common-sense Conservative government today?

Senator Gold: Thank you for your question. No, it is not a sign of incompetence. On the contrary, the government continues to do what it can — along with provinces, territories, municipalities and the private sector — through a suite of measures designed to unlock the potential of the private sector in that regard to make it easier and faster for the regulatory framework and, again, a whole suite of measures that are important and necessary.

ENVIRONMENT AND CLIMATE CHANGE

CARBON TAX

Hon. Leo Housakos: Senator Gold, we all have a role to play in mitigating our contribution to climate change. That's not up for debate, no matter how you try to spin it otherwise. Where we differ is how we mitigate it, and it is clear that your NDP-Liberal government's plan of making life more expensive for everyday Canadians while letting the world's largest polluter off the hook is not working. You acknowledged it yourself when you carved out heat pumps from the carbon tax for a select group of Canadians in Nova Scotia as you tried to shore up electoral support.

Now we have premiers lining up to say that they will get rid of the carbon tax once your government is gone. Why won't your government just save everyone the trouble and commit to axing the tax now and giving Canadians a much-needed break? For that matter, why doesn't your government call an election and allow the Canadian public to speak, to axe this Trudeau government and allow Pierre Poilievre and common-sense Conservatives to axe the tax?

Some Hon. Senators: Hear, hear.

Hon. Marc Gold (Government Representative in the Senate): This government is focused on intelligent, evidence-based, well-established approaches to fighting climate change. It has a plan, the price of pollution being one of them. That your political considerations, and perhaps those of other provinces, obscure the solid policy rationale for prices on pollution and the other measures would be bad enough for the sake of our planet. What is even worse is the lack of and indifference to any serious measures to address what is an existential crisis for this planet.

The world is moving in the same direction — towards putting prices on pollution and recognizing that this is what mainstream economists recognize is the best tool. It is regrettable that the Conservative Party of Canada seems to be heading backwards and in the wrong direction.

Senator Housakos: Senator Gold, the only thing that's regrettable is that there is nothing intelligent, nothing rational coming out of this Trudeau government over the last nine years except that tax is up, cost is up, crime is up and time is up for this government. Your NDP-Liberal government has doubled the debt, doubled housing costs, caused the worst inflation in 40 years, sent 2 million people to food banks and unleashed crimes and chaos in our communities, yet you are lecturing us. How much longer do Canadians have to suffer? You called an

election three times — early elections while in government for your benefit. When will you call an election for the benefit of Canadians?

Some Hon. Senators: Hear, hear.

Senator Gold: Congratulations, Senator Housakos. You are building up quite a record of repeating talking points from the other place. The fact remains this government is focused on — as long as the House of Commons has confidence in this government, it will continue to do what it was elected to do, which is to govern and put forward policy options and implement those for the benefit of Canadians.

PUBLIC SAFETY

CORRECTIONAL SERVICE OF CANADA

Hon. Kim Pate: Senator Gold, in the recent court decision of Justice Pomerance in the *Warren* case, Justice Pomerance ordered, in light of Correctional Service Canada's track record of not providing appropriate mental health services and treatment, that Mr. Warren be sentenced to serve his sentence in a provincial mental health hospital rather than a prison. In this decision, she looked at the ongoing materials from the Office of the Correctional Investigator and experts on structured intervention units, Correctional Service Canada's, or CSC's, mental health services and the particular history of Mr. Warren himself.

Senator Gold, what concrete steps is the government taking to ensure that Correctional Service Canada fulfills the commitments it made in 2019 during discussions on Bill C-83 to contract mental health beds in provincial and territorial health systems?

Hon. Marc Gold (Government Representative in the Senate): Senator, thank you for your question and thank you for your continued advocacy on this important matter. I do not have an update at this juncture, but I certainly undertake to raise it with the minister at the earliest moment.

Senator Pate: Thank you, Senator Gold. I appreciate that. I'm also advised that Mr. Warren currently languishes in isolation in the structured intervention unit, or SIU, at Millhaven, awaiting Correctional Service Canada's implementation of the court decision. What specific steps could the government take to ensure correctional accountability on this and other Charter-protected and human rights issues?

• (1430)

Senator Gold: Thank you, senator. As we all know, a key safeguard in place is external oversight. Independent external decision makers across the country provide oversight of an inmate's conditions and the duration of his or her confinement in a structured intervention unit to ensure that Correctional Service Canada, or CSC, is meeting its legal obligations.

I understand that in response to various independent reports, Correctional Service Canada has undertaken a number of initiatives to improve the collection of data to ensure it can effectively demonstrate its compliance with its mandate.

PAROLE ELIGIBILITY

Hon. Mary Coyle: Senator Gold, Indigenous women and gender-diverse individuals are vastly overrepresented in Canada's federal correctional institutions, with Indigenous women accounting for 50% of federally incarcerated women.

Correctional Service Canada often claims it does not control who enters federal prisons, but it does have significant control over how individuals are classified, how security levels are assigned and how parole eligibility is determined — all of which disproportionately affect Indigenous individuals.

Given the apparent systemic biases in CSC's risk assessment tools, which have been shown to disproportionately harm Indigenous women, what specific actions is the government taking to reform these assessment practices? Also, how is CSC ensuring that culturally relevant rehabilitation and support programs are in place so that Indigenous women and gender-diverse individuals can access parole and reintegrate into society in a timely and successful manner?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. Indeed, the ongoing overrepresentation of Indigenous peoples within the justice system is a critical issue that we must continue to address.

I've been informed that Correctional Service Canada has taken important steps in this regard, for example, by creating a Deputy Commissioner for Indigenous Corrections, who is focused on addressing this overrepresentation. Their work includes implementing the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP, and the recommendations of the National Inquiry into Missing and Murdered Indigenous Women and Girls, or MMIWG. The government is also making investments in culturally relevant services through the Indigenous Community Corrections Initiative, which supports reintegration projects for Indigenous offenders.

The government is well aware there is much more work to be done. It will remain engaged with all partners on this important work.

INDIGENOUS WOMEN IN PRISON

Hon. Mary Coyle: Thank you, Senator Gold.

Recent reports, including a 2023 article from *The Globe and Mail*, explain that Indigenous women are often placed in structured intervention units at alarmingly high rates, contributing to severe mental health deterioration.

What steps are being taken to reduce the use of isolation of Indigenous women and ensure that these women are not subject to further harm while in federal custody?

Hon. Marc Gold (Government Representative in the Senate): Colleagues, Correctional Service Canada is obligated to consider systemic and background factors unique to Indigenous offenders in all decision making. This includes that before

authorizing the transfer of an Indigenous inmate to an SIU, Correctional Service Canada must consider Indigenous social history, and this includes identifying culturally appropriate alternatives, consulting with an interdisciplinary team and other measures involving culturally appropriate support as needed.

[Translation]

CANADIAN HERITAGE

SPECIAL REPRESENTATIVE ON COMBATTING ISLAMOPHOBIA

Hon. Jean-Guy Dagenais: Senator Gold, I was quite bothered, some might say upset, when the media reported on the unacceptable actions of Canada's Representative on Combatting Islamophobia, Amira Elghawaby, who called for CEGEPs and universities in Quebec to give preferential treatment to Muslim professors in their hiring processes. This morning, we learned that the Information Commissioner has just ordered her to hand over 3,000 pages of emails and documents, which she refused to hand over to *La Presse*.

How can your government justify and accept such a lack of transparency? Can you explain the nature of the rather questionable privileges or protection that Prime Minister Justin Trudeau has granted Ms. Elghawaby?

Hon. Marc Gold (Government Representative in the Senate): Thank you for these questions. First of all, the Prime Minister was very clear when he said that each university is responsible for deciding who it wants to hire, and that each university has its own rules. He was rather clear on that. As for Ms. Elghawaby, her remarks were public.

Concerning the request for information, the second part of your question, I've been told that the department expects to process the request this October.

Senator Dagenais: You know, your Prime Minister has demonstrated poor judgment on a number of his appointments. I will spare you the list because we don't have time to compile one here, but can you acknowledge, in light of these latest revelations, that Ms. Elghawaby's appointment is damaging Canada's image?

Senator Gold: Thank you for the question. In the government's opinion, Ms. Elghawaby's position is important to confront the problems facing members of Muslim communities here in Canada. I was informed that Ms. Elghawaby enjoys the government's confidence in this regard.

[English]

GLOBAL AFFAIRS

PUBLIC SAFETY

SOFTWOOD LUMBER

FOREIGN INTERFERENCE

Hon. Marty Klyne: Senator Gold, I have a question about foreign interference in Canada's elections. This July, the Democratic Engagement Exchange published a report entitled *Responding to Foreign Interference and Disinformation in Canada's Elections*. One proposed solution was to create a national strategy delineating the roles of federal, provincial and municipal governments in countering foreign interference and disinformation while fostering collaboration and trust among diverse stakeholders such as security agencies.

Would the government consider modifying and building on efforts already in place such as the Critical Election Incident Protocol, for example, by making the protocol permanent and not just in effect during the writ period?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for underlining the importance of measures to combat all aspects of foreign interference and certainly those affecting our elections and our democratic institutions.

I would like to assure colleagues that the national security agencies are working tirelessly to protect Canada and Canadians and to ensure the integrity of our institutions. Due to recently passed legislation, as we know, the federal government and these agencies can work more collaboratively with both provinces and territories than ever before to help support and increase their resiliency.

To get closer to your question, if not directly onto it, senator, the government is also looking forward to receiving recommendations from the final report of the Public Inquiry into Foreign Interference, which will inform the government's decisions going forward. The government will continue to do its part to ensure that Canadians can have confidence in our democratic institutions.

Senator Klyne: There are civil society organizations helping Canadians to develop robust digital literacy and civic education to foster critical thinking. As a supplementary question, has the government considered the role Elections Canada could play in addressing disinformation and misinformation on an ongoing basis and whether it should do so?

Senator Gold: Thank you for your question. As I mentioned, senator, the government is looking forward to the recommendations that will be provided from the final report of the Public Inquiry into Foreign Interference. The government will always take into account those and any other helpful suggestions to improve our resiliency and combat foreign interference.

Hon. Yonah Martin (Deputy Leader of the Opposition): Leader, on August 13, the United States Department of Commerce hiked their unwarranted and punitive import duties on Canadian softwood lumber from 8% to 14.54%. In response, the BC Lumber Trade Council stated the following:

This couldn't come at a worse time for BC lumber producers. The increase in US tariffs on BC lumber products will exacerbate the extremely challenging conditions faced by BC producers and will impact manufacturing operations, jobs and communities around the province.

Leader, bearing this in mind, could you tell us why Prime Minister Trudeau called softwood lumber a "small issue" when he appeared on an American celebrity talk show last night?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question. I think, though, to those of us who did watch it, you may be inadvertently taking it somewhat out of context.

The fact remains that the dispute between Canada and the United States over softwood lumber is a long-standing one in which this government and previous governments have prosecuted Canada's interests effectively, strongly, repeatedly and with great success. Nothing has changed or will change with this government.

• (1440)

In the context of the global challenges facing our country and the United States, the emphasis on these ongoing, inevitable trade challenges and problems between two great trading partners are not to be minimized, but nor should they be blown out of proportion. We deal with them effectively and will continue to do so.

Senator Martin: Over the last nine long years, Canada's softwood lumber industry has heard a lot of empty talk from the Trudeau government about the importance of reaching a new softwood lumber agreement with the United States.

Leader, could you tell us why softwood lumber has never — not once — been mentioned in a mandate letter from the Prime Minister to any of his international trade ministers?

Senator Gold: Whether it's in a mandate letter or not does not change the fact that it is an ongoing subject that is engaging Canada and its representatives in their ongoing, fruitful and multifaceted negotiations with their counterparts in the United States. Deals take two to tango.

Canada has been prosecuting and will continue to prosecute the interests of our softwood producers.

[Translation]

NATIONAL DEFENCE

MILITARY EQUIPMENT

Hon. Claude Carignan: Leader, according to a recent article on the CBC website, National Defence spent over \$34.8 million on sleeping bags. Soldiers in the Canadian Armed Forces found that they were not suitable for winter conditions.

On one exercise, 350 soldiers from the 3rd Battalion were deployed to Ram Falls Provincial Park in Alberta. They trained in conditions where temperatures ranged from -5 degrees Celsius during the day to -20 degrees Celsius at night. They froze. The sleeping bags were not suitable for Canadian winters.

Leader, don't you find it odd that the government can't even provide sleeping bags? Did the minister ever think about just going to Canadian Tire?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. As soon as the government was made aware of the concerns around the sleeping bags in question, the Canadian Army immediately asked for feedback and issued a newsletter to provide clear instructions. During the exercise in the North that you mentioned, the Canadian Army reinforced operational measures to address the concerns. The sleeping bags were provided with additional accessories, including accessories for protecting against the cold.

Senator Carignan: So there needs to be an instruction manual on how to use a sleeping bag.

Leader, at a time when we need to renew or buy F-35s, submarines and long-range radars, Canadians are worried that your government can't even buy sleeping bags. What can you say to reassure them?

Senator Gold: The government has made historic investments in our Armed Forces, including for the necessary equipment. These investments are much larger than those that were made in the past and the government will continue to support the Canadian Armed Forces.

[English]

INFRASTRUCTURE AND COMMUNITIES

SUPPORT FOR MUNICIPALITIES

Hon. Paula Simons: My question is for the government representative.

I'm very proud today to say that my office has released our report *On the Front Lines of Canadian Governance*, the final report of my Senate inquiry into the challenges and opportunities of Canadian municipalities.

The report repeatedly underlines the challenges facing our cities and towns in accessing funding resources, especially cities that are often at loggerheads with their provincial governments.

The federal Housing Accelerator Fund model has already led to deals with several Alberta municipalities — including Edmonton, Calgary, Airdrie, Stony Plain and Sylvan Lake — to help them expedite construction of new housing.

Would the federal government give any consideration to using that same Housing Accelerator Fund model to help municipalities deal with other pressing infrastructure needs?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question and for highlighting one of the challenges in our federation, which is, as we know, that municipalities under our Constitution are — pardon the expression — creatures of the provinces.

In that regard, the government is always working and attempting to collaborate with provinces and territories to not only benefit provinces and territories as a whole but also address the particular needs within municipalities, large and small.

It is true that with regard to the housing crisis, the government has initiated discussions and entered into understandings with municipalities, because they are on the front lines, whether it's through dealing with zoning or other matters that have a direct impact on that.

What other measures the government might consider is a matter left for speculation, and I have no information in that respect.

Senator Simons: Thank you very much.

One might think it could help if we had a federal ministry that had specific responsibility for municipalities. Is there something that could be done to help focus the government's attention on the crises facing our cities, towns and counties?

Senator Gold: I will certainly pass on this very intriguing suggestion. The constitutional lawyer in me is reluctant, though, to say more than that, because this would be a major step and, quite frankly, colleagues — this is a place to be able to speak plainly — a provocation to far too many provinces.

But there may be other ways in which the municipalities can work and be assisted. The government is always looking at ways to improve how it does business.

[Translation]

EMPLOYMENT AND SOCIAL DEVELOPMENT

SUPPORT FOR SENIORS

Hon. Éric Forest: Municipalities are not the only victims of the jurisdictional squabbles between Quebec and Ottawa. Since 2022, our seniors have been paying the price of a new legal dispute between the two levels of government. The Age Well at Home program was made available to community organizations

in Quebec, even though the federal government hasn't signed an agreement with Quebec. As a result of this unfortunate conflict, Le Chic Resto Pop cannot access the \$670,000 it needs to feed 200 seniors in Hochelaga-Maisonneuve.

The same goes for the Centre communautaire l'Entraide Plus, which does odd jobs for seniors. The \$568,000 it needs is still sitting in Ottawa's coffers. Health and social services fall under the exclusive jurisdiction of Quebec and the provinces. Why is the government making promises to Quebec's seniors when it can't deliver because it doesn't have an agreement with Quebec?

Hon. Marc Gold (Government Representative in the Senate): Thank you for the question. I believe that, in the case of the Age Well at Home initiative, which offers seniors the opportunity to age with dignity wherever they choose to live, the Canadian government has provided funding so that community organizations can help seniors with things such as meal preparation, housekeeping and transportation. Unfortunately — it's a real shame — I've been informed that the Quebec government has made it clear that it doesn't want the funds to go to the organizations that do that kind of work for seniors. That was Quebec's decision.

Senator Forest: By opening up its program to Quebec organizations and dangling cheques in their faces despite not having come to an agreement with Quebec, the federal government is using Quebec seniors as political pawns. Does the Government Representative find it acceptable that our most isolated and fragile constituents should be taken hostage in this way?

Senator Gold: Thank you for the question. Senator, the federal government has worked with provincial governments to support seniors. We want all seniors to age in the manner of their choosing.

The federal government believes that the Government of Quebec will change its mind and support Bill M-30, which will make it possible for those monies to be disbursed to community organizations in the province.

• (1450)

[English]

IMMIGRATION, REFUGEES AND CITIZENSHIP

REVOCAION OF CITIZENSHIP

Hon. Donald Neil Plett (Leader of the Opposition): Leader, on July 31, the RCMP announced the arrest of a father and a son who were planning to carry out a terrorist attack on behalf of ISIS in the Toronto area. The father had been granted Canadian citizenship in May this year.

Two weeks after the arrest, the minister responsible for citizenship said to reporters:

I think Canadians deserve answers. I'm going to get to the bottom of it. I'm also going to take the next step, which is to start the preliminary work with the evidence at hand to look at whether the individual in question's citizenship should be revoked.

Leader, Minister Miller said this on August 14 and has said nothing since. What is the status of the work under way to revoke this individual's citizenship?

Hon. Marc Gold (Government Representative in the Senate): Thank you for your question, senator. It is not appropriate for me to comment on specific cases, especially those that are under investigation, whether by the government, the minister or, indeed, the RCMP.

When the issue became known to the government, the minister, with his typical and welcome candour, spoke quite clearly about what he was intending to do. I have every confidence, and Canadians should have every confidence that Minister Miller and this government are pursuing this matter assiduously.

Senator Plett: Canadians also have every right to know what's going on. The minister specifically talked about this case. This NDP-Liberal government now acknowledges that this individual is a member of ISIS and carried out gruesome attacks in a 2015 ISIS propaganda video. He never should have been allowed into our country in the first place, leader, let alone granted citizenship.

Will his citizenship be revoked, yes or no? Or were these just empty words from the minister?

Senator Gold: Again, senator, the minister is taking the appropriate steps to get to the bottom of things, and when a decision is made as to what action will be taken, it will be communicated. Until then, it is appropriate, and I have no further comments to make at this stage.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

FINANCE—TARIFF RATE ON FERTILIZER

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 179, dated December 13, 2022, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the tariff rate on fertilizer.

FINANCE—ASIAN INFRASTRUCTURE INVESTMENT BANK

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 198, dated February 2, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Asian Infrastructure Investment Bank.

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 237, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Asian Infrastructure Investment Bank.

FINANCE—BUDGET DOCUMENT PRODUCTION
COSTS SINCE 2016

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 240, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Department of Finance Canada.

FINANCE—CANADA GROWTH FUND

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 255, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Canada Growth Fund.

NATIONAL DEFENCE—NON-DISCLOSURE AGREEMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 261, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding non-disclosure agreements — National Defence.

FINANCE—NON-DISCLOSURE AGREEMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 261, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding non-disclosure agreements — Department of Finance Canada.

INNOVATION, SCIENCE AND INDUSTRY—
NON-DISCLOSURE AGREEMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 261, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding non-disclosure agreements — Innovation, Science and Economic Development Canada.

JUSTICE—NON-DISCLOSURE AGREEMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 261, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding non-disclosure agreements — Department of Justice Canada.

PRIVY COUNCIL OFFICE—NON-DISCLOSURE AGREEMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 261, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding non-disclosure agreements — Privy Council Office.

PUBLIC SERVICES AND PROCUREMENT—
NON-DISCLOSURE AGREEMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 261, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding non-disclosure agreements — Public Services and Procurement Canada.

TREASURY BOARD—NON-DISCLOSURE AGREEMENTS

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 261, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding non-disclosure agreements — Treasury Board of Canada Secretariat.

PRIVY COUNCIL OFFICE—2022 PUBLIC ORDER EMERGENCY

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 266, dated September 19, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the 2022 Public Order Emergency.

FINANCE—BANK OF CANADA

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 271, dated November 2, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Bank of Canada.

FINANCE—CANADA DEVELOPMENT
INVESTMENT CORPORATION

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 277, dated November 2, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Canada Development Investment Corporation.

FINANCE—CANADA DEPOSIT INSURANCE CORPORATION

Hon. Patti LaBoucane-Benson (Legislative Deputy to the Government Representative in the Senate) tabled the response to Question No. 278, dated November 2, 2023, appearing on the *Order Paper and Notice Paper* in the name of the Honourable Senator Plett, regarding the Canada Deposit Insurance Corporation.

ORDERS OF THE DAY
**CRIMINAL CODE
SEX OFFENDER INFORMATION
REGISTRATION ACT**

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Boisvenu, seconded by the Honourable Senator Seidman, for the second reading of Bill S-266, An Act to amend the Criminal Code and the Sex Offender Information Registration Act.

Hon. Yonah Martin (Deputy Leader of the Opposition): I note that this item is on day 15, so I'd like to move adjournment of the debate.

(On motion of Senator Martin, debate adjourned.)

• (1500)

SPECIAL ECONOMIC MEASURES ACT

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Omidvar, seconded by the Honourable Senator Petitclerc, for the second reading of Bill S-278, An Act to amend the Special Economic Measures Act (disposal of foreign state assets).

Hon. Leo Housakos: Honourable senators, I rise today to speak to Bill S-278, An Act to amend the Special Economic Measures Act (disposal of foreign state assets).

I'll start by thanking Senator Omidvar for proposing this legislation and for her ongoing commitment and tireless efforts on this very important matter. I also want to make it clear from the start that I fully support this bill, though I am the critic — a friendly one at that.

I believe it is a natural continuation of some of the efforts we have been making in the Senate to fight back against gross human rights violations and bullies such as Vladimir Putin. I

must say, however, that we have a long way to go with regard to how some members of this chamber pick and choose which human rights violations to speak out against, as we know from voting patterns in the past.

At any rate, while I'm not sure how much in relevant assets remains in Canada to be seized under this legislation, I believe the amendments being proposed to the Special Economic Measures Act, or SEMA, will, even if only in small part, be beneficial to Ukrainians. Hopefully, it will also show Canada to be leading by example among Western democracies in dealing with rogue states that seek to upset the world's rules-based order — something we haven't exactly been doing as of late.

As Senator Omidvar said in her speech, the purpose of this legislation is to:

. . . allow for a legal mechanism to seize and repurpose the state assets of perpetrators who breach international peace and security and to redirect those assets to the victims whose lives have been shattered.

I don't know how that could be seen as anything other than reasonable and just.

It is not just a one-off. Not only would this legislation allow our government to seize Russian assets to assist in the rebuilding of Ukraine, but it would also leave us with a legal mechanism to deal with other human rights violations.

This is incredibly important as we continue to see the rise of authoritarianism and gross human rights violations around the world, with tyrants and despots becoming more and more emboldened as they see what they believe to be weakness and hesitancy to act on the part of Western democracies. They are quite literally taunting us with their increased acts of aggression. Rest assured, their acts are coordinated. They are designed to test our mettle and resolve and to distract us. We see it with Erdoğan, Xi and the Islamic Revolutionary Guard Corps, or IRGC. They are starting as many fires on as many fronts as possible, and while this must not go unchecked, in responding to it we have a moral and existential responsibility to maintain order by implementing measures such as those being proposed here.

As for how these measures will be used in relation to Russia's invasion of Ukraine, as I mentioned earlier, the amount of assets here in Canada does not necessarily tell the whole story about the importance of this legislation. In 2021, before Russia's invasion, the public accounts of Russia reported they had approximately \$16 billion in assets right here in Canada. However, Russia has since moved much of that out of Canada, and it is unclear how much money is left here. We have seen a number of news stories about still-veiled Russian operations and oligarchs operating in some sensitive industries in Canada, including mining.

However, considering that the World Bank estimates the cost of war in Ukraine at US\$600 billion, Ukraine will need every dollar that will come their way. Finding innovative ways to increase financial aid capacity will be a game changer in this conflict and in others. Furthermore, even if we are not the first to do so, we must be in lockstep with our allies on measures of this nature, especially right now when we are increasingly being seen as being out of step with our allies.

We are seeing similar legislation to this bill in the U.S. and the United Kingdom. As for any questions about whether Canada has the right to seize another government's assets, international law obliges us to take the kinds of measures that this bill is proposing.

In fact, according to Article 41 of the articles on the *Responsibility of States for Internationally Wrongful Acts* adopted by the UN General Assembly, states are obliged to cooperate through lawful means to bring to an end an illegal act that breaches peremptory norms.

I think we can all agree that Russia's actions against Ukraine have been illegal and breach peremptory norms.

At the risk of being redundant, but for the benefit of those who were not here for Senator Omidvar's speech and may still have some concerns about this particular point, I would like to refer once again to her speech because she explained the principle quite well:

The principle behind countermeasures is that a state, in this case Canada, can suspend an obligation it has under international law in a way that is intended to bring the offending state back into compliance with international legal obligation. In this case, it is Russia's breach with the invasion of Ukraine and its failure to compensate for the devastation it has caused. If it is a valid countermeasure, then seizure of state assets in itself is not a breach of international law. Quite the opposite: It is a valid and lawful response to Russia's breach of fundamental norms of forbidding one state from mounting an armed attack on another.

Colleagues, we can have our political differences in this place — and outside of it, for that matter — but I think I can speak for all of us when I say the world order feels much less stable of late, more so than it has in many years.

We have Beijing's sabre rattling against Taiwan, Iran's involvement in the attacks against Israel on October 7 and the ensuing war, Erdoğan's involvement in Azerbaijan's ethnic cleansing of the Armenian people of Nagorno-Karabakh and Putin's atrocities committed against the people of Ukraine. Any one of these could be described as a powder keg requiring us to act in a responsible manner.

Act we must. Now is not the time for appeasement. The international community tried the appeasement method for the conflict involving Russia in Crimea in 2014. It did not work then, and it surely won't work now. We know that appeasement has never worked when dealing with tyrants and despots.

The underlying principles that guide this legislation are noble. It is inspired by justice in its purest form. In passing this legislation and implementing the measures within, we are saying we will use every tool available to us to fight back against threats to our way of life.

It is our duty and our obligation to stand up for freedom and democracy, not just here at home but anywhere in the world where it is under threat.

For too long, Russia and other rogue states have not only hidden behind the protections of international law; they have used their inclusion in the rules-based order against us. That's what they are trying to do here when they argue that we don't have the legal capacity to seize their assets. It is a joke, colleagues. If anything, they've made a complete mockery of organizations like the United Nations and, for that matter, our Western democratic foundations.

The joke is on them, however. By using domestic law to enforce international law, we are adding an arrow to Western democracy's quiver to maintain peace and rule of law around the globe. We cannot wait until the end of this illegal war to decide how we are going to make Russia pay reparations to Ukraine. Good luck in forcing Putin to do the right thing at any point. In joining our allies in measures like this now, no matter how many Russian assets are still in Canada, we are helping to ensure there are much-needed funds when the time comes to rebuild Ukraine and undo the damage being done by Putin. Every little bit will count.

Colleagues, Canada has an obligation to do the right thing. At times we don't, and recently we have picked and chosen when we follow the moral high ground and when we don't. Time and again we say the right things but don't follow it up with action. For example, we have recognized that a rogue dictatorship like Beijing has been infiltrating and exercising foreign interference in our country, and we saw our government dragging its feet. They're not dragging their feet because the Prime Minister loves this country any more or any less than do Conservatives or other Canadians; I think they are dragging their feet because we always allow economic considerations to seep through. Essentially, we're ready to trade our values and principles when dealing with states like China, Russia, Cuba, Türkiye or with the IRGC. We allow economic considerations to trump doing what's right and supporting the foundations and principles that this country has been built on.

When our government turned a blind eye and gave the green light for LR3 technology to be sold to Erdoğan's regime in Türkiye last year, and that technology, of course, was passed on to Azerbaijan and used to carry out ethnic cleansing in Nagorno-Karabakh — in essence our government was basically saying, "We are going to allow a few hundred million-dollar deal determine if it is wrong or right to carry out ethnic cleansing."

• (1510)

Then we turn a blind eye; while the rest of the world — who has the courage — calls it out in Nagorno-Karabakh to be what it is, we hesitate. When we have motions recognizing what is going on against the Uighur Muslim people in China as ethnic cleansing and as genocide, we take the right stance in the House of Commons. We vote for a motion, but the government pretends it never happened, and they carry on because they don't want to offend the tyrant.

I will remind colleagues of the shameful day in this place. We didn't even have the decency to support that basic, moral high ground motion or call out what was happening to the Uighur people as ethnic cleansing. It is stuck in my throat, and I can't get

over it: This is the only democratic house in the Western world that voted down that motion. It is a shame and a blemish on us that I don't think this institution will ever overcome.

I think Senator Omidvar's bill is reasonable and just. It's consistent with the values and principles that Canadian governments should aspire to follow at all times, so I support it. I think the government would heed the right advice here with reason and common sense, and they should take this bill and run with it. This should not only be a private member's bill that is passed in terms of posturing. This bill should also be looked at carefully. The government should roll up their sleeves and embrace the similar legislation that the United States and United Kingdom passed, and they should show moral leadership when it comes to human rights. Thank you very much, colleagues.

Some Hon. Senators: Hear, hear.

Hon. Denise Batters: Senator Housakos, thank you very much for that speech and for voicing your support of this bill. When Senator Omidvar delivered her second reading speech last fall about this, I expressed my support for it as one of 1.4 million Ukrainian Canadians. I want those Russian assets that still exist in Canada to be quickly and properly seized so that they cannot be used to finance Putin's continuing illegal and brutal war against Ukraine.

At the time, I asked Senator Omidvar a question because there had recently been a budget implementation act that had some government provisions in it which provided some measures about this exact thing. I asked her to explain how her bill provided some additional measures on that front. She explained to me it was an important clarification that she saw on these measures.

Given that it is an important clarification, why isn't the government taking this up, as Senator Omidvar has pointed out? I'm not sure when this bill was introduced, whether it was a year ago or a little longer than that, but they have had considerable time now. Is this something where perhaps these measures could be used in a future budget implementation act or omnibus bill, which the government is so fond of putting forward?

Senator Housakos: Thank you, Senator Batters. I can only assume why the government has been dragging its feet when it comes to these issues. I believe it comes down to dollars and cents. Like I said in my speech, the government is always putting ahead economic considerations at the price of human rights. We talk a good game, but when it is time to stand up and make the sacrifice required, we are not ready to do it.

There are a number of rules, regulations and laws that prevent dictatorships and autocrats from coming to Canada to hide and launder their money. We have seen many cases, which the media brought to our attention, when it comes to family members of the Islamic Revolutionary Guard Corps, or IRGC, who have come to this country and set up shop. We know there are a number of oligarchs still operating business interests in this country which have been discovered and brought to the forefront by the media.

The Erdoğan regime in Türkiye has more journalists in prison than any other country on earth, along with countries like Cuba, yet we continue to encourage economic and commercial transactions. Global Affairs Canada does more high-end shrimp

parties with the Cuban dictatorship and with Beijing than they sometimes do with our own democratic allies around the world. One has to shake their head and ask, "What have we come to as a country that always took the moral high ground?"

There has to be a political will to put into force some of the laws that are already in place. They have to give directives to the Canada Revenue Agency, to customs and so forth to put into place some of the measures that are already there. We have what is essentially slave labour being carried out by the Beijing regime using the Uighur people in Xinjiang. We have laws in the books that call upon goods that are being imported into this country where you have slave labour that we can confiscate and pursue. There is no political will to execute those laws. There has to be the political will, and leadership always comes from the top.

(On motion of Senator Patterson, debate adjourned.)

[*Translation*]

NATIONAL IMMIGRATION MONTH BILL

SECOND READING—DEBATE ADJOURNED

Hon. Amina Gerba moved second reading of Bill S-286, An Act respecting National Immigration Month.

She said: Colleagues, I'm speaking from the traditional unceded territory of the Algonquin Anishinabe people. That land acknowledgement is very important in the context of this bill. We must always call to mind the presence of Indigenous peoples from time immemorial in the land that is now Canada.

In June, I had the honour of introducing my first bill, Bill S-286, An Act respecting National Immigration Month. I am deeply moved to speak to you about this initiative today. It is part of my own life story, of the life stories of many people in this illustrious chamber, and of the life stories of millions of other people, millions of our compatriots who came from all over the world to enrich our country with their experiences and their contribution to our history.

Let me begin with an anecdote, a little incident I witnessed at a gala evening in Montreal. It's actually the genesis of the bill I'm going to talk to you about today.

My husband and I had struck up a conversation with a guest during the networking cocktail party that preceded a fundraising gala. Visibly surprised to hear my husband speak excellent French, the lady we were speaking to asked him where we were from. Mischievously, my husband acted like he didn't quite understand the question and told her, in jest, that he was from Laval.

Faced with the woman's puzzled expression — she didn't seem to understand and wasn't satisfied with the answer — my husband finally said that he was originally from Cameroon and asked the same question in return. Very confused, the woman asked him what he meant.

• (1520)

My husband gently reminded her that, as far as he knew, with the exception of Indigenous peoples, all other Canadians came from somewhere else. He suggested that she ask her parents and grandparents where their ancestors, her ancestors, were from. This little tableau and this kind of questioning happen frequently and are quite revealing. They prompted me to formalize a reminder of our shared history as “from elsewhere,” and to do so with a bill.

With its three sections, the text of this bill is very simple, and so is its objective. The aim is to dedicate one month every year to celebrating the essential role that immigration has played in building our country.

Canada has been shaped by its immigrants. They built the country we cherish today. They built our country, which is admired the world over. Whatever the field, it is clear that immigrants have played a decisive role in the achievements of which we are so proud.

I'd like to give five examples of immigrants and proud Canadians who have contributed to our country's recent history.

Jean Augustine was born in Grenada. She was the first Black woman to be elected to the Parliament of Canada and the first Black Canadian woman to serve as a federal minister of the Crown. She played a critical role in the official recognition of Black History Month in Canada.

Dany Laferrière is a Haitian-born writer and academic, whose works have enriched Quebec and Canadian literature. He is a member of the Académie française, which contributes to Canada's cultural visibility.

Abdoulaye Baniré Diallo was born in Senegal and is a renowned professor of bioinformatics and artificial intelligence at the Université du Québec à Montréal, or UQAM. He was the laureate of the 2018 Next Einstein Forum. Dr. Diallo is also involved in developing national research and innovation policy.

According to the National Research Council of Canada, Gerhard Herzberg was “one of Canada's greatest scientists.” He was born in Germany, but he and his wife fled persecution in Nazi Germany and arrived in Canada in 1935. In 1971, he was awarded the Nobel Prize in chemistry for his contribution to the knowledge of the electronic structure and geometry of molecules.

Mike Lazaridis is originally from Greece and moved to Canada from Turkey. He left his mark on the communications sector with his famous invention, the BlackBerry, the mobile phone that became world famous in the 2000s.

Colleagues, these contributions must be fully recognized and celebrated, and the people who made them must receive their due. This is a direct and effective way to encourage the integration and retention of new generations of immigrants.

[Senator Gerba]

Before going into detail about why I want Canada to have a national immigration month, I'd like to set the record straight about something.

It will not have escaped your attention that there has been a lot of debate about our immigration policy on an almost daily basis. Some of these debates are useful, even necessary. Others come dangerously close to a philosophy of rejection and exclusion that has no place in our country. As a proud Quebecer and a Canadian of immigrant descent, I can't hide the fact that this feels personal. I'm very concerned about the current extremist xenophobic rhetoric that appears to reject all types of immigration. Such hard-liners insinuate that immigrants are largely responsible for our country's economic and social problems, and that's dangerous.

I'd like to point out that our country was built by wave after wave of immigrants. To this day, immigration is essential to addressing the demographic and economic challenges we face. With an aging population and a growing need for skilled labour, Canada needs immigrants more than ever.

However, integrating these newcomers has to be a top priority. This requires efforts on the part of both the newcomers and the host society. These newcomers need help adapting to their new environment, learning the language and local customs, while allowing them to retain their identity. The process takes time but it's achievable and beneficial for everyone.

It's also imperative, honourable colleagues, to warn against xenophobic policies that seek to divide. Canada has to remain a model of tolerance and inclusion.

By welcoming immigrants and facilitating their integration, we strengthen our society and ensure a prosperous future for all. But we must also invest to better welcome and retain our newcomers and to ensure their economic prosperity. We also have to invest in securing our borders and handing out harsh punishments to people involved in smuggling immigrants.

Honourable colleagues, immigration is not our problem, as some people sadly say. On the contrary, it is our ancient and recent history, and the driving force of our future.

The purpose of my bill isn't to call for more or fewer immigrants to Canada or to take sides on this or that aspect of migration policy. It is at a completely different level and is in line with the times.

• (1530)

This project refers to the successive generations of immigrants to our country who have contributed to its development in the areas mentioned above. These generations have developed it as a multicultural society in the world's image.

The main aim of this bill is therefore to remind all Canadians that we have almost all come from somewhere else, in different eras.

I'm not a historian, but I'd like to take this opportunity to tell you about the different waves of migration in our country. First of all, it is essential to recognize that Canada was not virgin and uninhabited when Europeans first came here over five centuries ago. The word "discovery" was wrongly used to describe this arrival.

Speaking of discoveries, there is a nuance to be added. According to a study published in 2021 in the scientific journal *Nature*, it has been proven that the Vikings were present in Newfoundland as early as 1021. Evidence shows that the Indigenous peoples, then estimated at between 350,000 and 500,000 people — although some estimates put the figure as high as two million — were in contact with the Vikings at that time.

According to *The Canadian Encyclopedia*, a majority view estimates the arrival of the first waves of immigration from Northeast Asia between 30,000 and 13,500 BCE.

In 1604, French explorers Pierre Dugua de Mons and Samuel de Champlain founded the first European settlements. In 1608, Champlain founded the city of Quebec. French settlers then gradually began to populate what was then known as "New France."

According to *The Canadian Encyclopedia*, between 1535 and 1763, approximately 10,000 French migrants, including 2,000 women, are believed to have settled in New France.

In 1763, when Great Britain took control of the region, the population had reached 70,000. It would be supplemented by the arrival of a large number of Americans who were loyal to the British Crown.

In the 19th century, large numbers of immigrants arrived in Canada, particularly from Europe. Most of them were Irish, and their arrival is considered to be the first major wave of immigration after the French and the Americans.

At the time of Confederation in 1867, Canada's population totalled 3.6 million, one million of whom were descendants of French immigrants and 2.1 million of whom were descendants of American Loyalists, and British and Irish immigrants.

The need to occupy land, particularly in the West, and the fact that its population was relatively small led Canada to see immigration as an essential driver of the country's development.

However, it would be a very selective immigration, which would exclude Asians and Blacks. It was only after the Second World War that the restrictive, discriminatory laws were gradually replaced with laws of general application.

This large-scale migration created a lot of friction with Indigenous peoples, including the Métis and First Nations, who were forcibly removed from their lands. This crisis culminated with the Northwest Rebellion in 1885.

At that time, according to the *Discover Canada* guide, an estimated one million British and one million Americans immigrated to Canada.

This was followed by the arrival of an increasingly diverse range of immigrants to meet the country's development challenges. Working in strategic sectors such as industry, mining and construction, these immigrants were the architects of the new country that was Canada.

Throughout the 20th century, immigration to Canada continued apace, particularly in the West. These immigrants helped make the Prairies the powerful agricultural region they still are today.

At the end of the Second World War, the country became attractive to southern Europeans, who were going through times of great hardship. Most notably, they built the cores of our major cities.

Canada gradually grew to become a welcoming land. It put an end to its discriminatory laws and regulations, and received wave after wave of asylum seekers fleeing pariah states and people displaced by war. Many came from Eastern Europe and Southeast Asia. This sudden influx pushed Canada to take a creative approach to its immigration policy.

Thus, the first Private Sponsorship of Refugees program was set up, enabling Canada to bring in more than half of the Vietnamese, Cambodian and Laotian refugees.

As a result, by the early 1960s, an estimated one-third of Canadians had origins that were neither British nor French, according to the *Discover Canada* guide.

Successive waves of immigration in the 19th and 20th centuries gradually contributed to the rise of a multicultural society in our country, which has the highest proportion of immigrants among the G7 countries.

According to Statistics Canada, in 2021, more than 8.3 million people, almost one-quarter of the population, were or had been landed immigrants or permanent residents in Canada. That's 23% of the country's population.

Statistics Canada points out that this is, quote, "the largest proportion since Confederation, topping the previous 1921 record of 22.3%."

What's more, given that Canada's population is gradually aging and that its birth rate remains below the population renewal rate, immigration is now the country's main driver of population growth.

According to Statistics Canada projections, immigrants could represent between 29.1% and 34% of Canada's population by 2041.

Colleagues, through this brief look at the history of the Canadian people, I wanted to show you one thing: At different times, we all came from somewhere else, except for Indigenous peoples. A thousand years, five centuries, four generations, three decades, a month or a week ago, we all came from someplace else.

However, we must never forget that the land settlement and territorial occupation process have often led to the loss of Indigenous cultures, languages, traditions and lands.

Our country is therefore a product of the hopes and dreams of millions of immigrants arriving from the four corners of the planet to build a better life. Unfortunately, for Indigenous peoples, it has meant a tragic erasure of their rights and their tangible and intangible assets.

• (1540)

These two realities are two sides of the same coin. They make up our history. They create a demand for justice, reparation and compensation. And also a duty to remember that we must share with future generations.

There is another reason for this bill. It is about the multiplication of motions and laws concerning the celebration of the heritage of this or that community living in Canada. There's no doubt that the aim of these various initiatives is legitimate and stems from the same observation as mine: the need to highlight the invaluable contributions of immigrants to our country.

I see national immigration month as a useful wake-up call, at a time when some people have no hesitation in blaming immigrants for certain complex and difficult social situations. It could act as a showcase, an opportunity for all our immigrant groups to highlight their contributions and their communities.

By bringing together the new celebrations, this national month, far from diluting them, would act as a forum for them. It would provide a common space to underscore the wealth of contribution by all immigrants, no matter the size or importance of their community.

Colleagues, I was able to gauge just how much support there was for the introduction of a national immigration month among the many groups to which I was able to present the bill. On May 15, my team and I organized a round table to get the views of organizations representing the interests of immigrants.

We contacted and brought together approximately 30 organizations and asked them to share their opinions on the initiative that I am putting forward. During this very productive meeting, we received feedback from stakeholders from across the country who represent the largest immigrant communities. The message that we received was clear: All of these stakeholders confirmed their support for a bill instituting a national immigration month.

Of course, this consultation was not intended to be exhaustive, but it did provide an opportunity to get a good idea of how receptive the organizations concerned were to this bill.

We also continued our consultations by telephone over the summer. I also asked the stakeholders about what month they thought should be chosen for this initiative. Many of them agreed on November, which is relevant in several respects.

First, November is already the month in which we celebrate National Francophone Immigration Week, which, according to the organizers' website:

... brings together thousands of Francophones from across the country to celebrate the richness of cultural diversity and the contribution of immigrants to Francophone and Acadian communities.

Secondly, the Immigration and Refugee Protection Act, which establishes the fundamental concepts and principles relating to immigration and refugee protection, received Royal Assent on November 1, 2001. I would like to reiterate the central importance of this legislation, which provides a framework for Canada's modern immigration policy.

I'm going to go over the milestones of this legislation to show you why it's so important. Our current immigration policy, which is based on objective and universal principles, has not always been part of the Canadian norm.

For a long time, Canadian immigration policy focused on White immigration, preferably from the British Empire, Central Europe and the United States. However, in response to the dire need for labour, the government drew up a list of "ideal settlers in a descending order of preference." I'll quote verbatim from *The Canadian Encyclopedia*:

British and American agriculturalists were followed by French, Belgians, Dutch, Scandinavians, Swiss, Finns, Russians, Austro-Hungarians, Germans, Ukrainians, and Poles. Close to the bottom of the list came those who were, in both the public and the government's minds, less assimilable and less desirable, e.g., Italians, South Slavs, Greeks and Syrians. At the very bottom came Jews, Asians, Roma people, and Black people.

As you can see, colleagues, it's an understatement to say that the immigration criteria at the time were discriminatory. What's more, non-White would-be immigrants are even refused entry to the country on racist grounds.

For example, in 1911, Canada almost completely banned the immigration of Blacks and they were not the only ones affected. As early as 1885, Chinese immigrants were required to pay a special tax. Worse still, in 1923 they were virtually refused entry to Canada. Immigration from Japan and India was also extremely limited at the time.

In 1919, under revised immigration legislation, the government prohibited entry into Canadian by groups such as communists, Mennonites and Doukhobors. Additionally, people from countries that fought against Canada during the First World War met with the same fate.

Religious grounds have also been used to exclude specific groups of individuals. In 1939, for example, Jewish refugees fleeing Nazi Germany aboard the *MS Saint Louis* were refused entry to Canada.

The formal ban on Chinese immigration was lifted in 1947. On June 22, 2006, Prime Minister Stephen Harper officially apologized for the head tax imposed from 1885 to 1923 and the exclusion policy in force from 1923 to 1947.

Canada's immigration policy was modernized in 1967, with the adoption of a point system to classify immigrants according to their eligibility. Skin colour or nationality were no longer used

as criteria for selecting immigrants. Language skills, such as proficiency in English or French, education levels, professional skills and family ties were now given priority, paving the way for the immigration system we know today.

• (1550)

However, although Canada is a signatory to the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 protocol, there would be no program governing applications for refugee status. Each application is considered on a case-by-case basis.

The 1976 Immigration Act represented a radical change in this area. For the first time, it set out clearly defined objectives for Canadian migration policy and priorities, such as family reunification, diversity and non-discrimination. It now protects refugees as a distinct group of immigrants in Canadian law, and requires the government to meet its obligations under international agreements.

In 1979, the famous private sponsorship program was launched. The only one of its kind, it has enabled over 327,000 refugees to be accepted in Canada over its 40 years of existence. Although there is room for improvement, it remains one of the great success stories of Canadian migration policy.

In 1980, five categories were created for entry to Canada. They are as follows: independent, meaning people submitting their own applications; humanitarian, including refugees and other persecuted or displaced people; family, that is, people who have immediate family already living in Canada; assisted relatives, meaning distant relatives sponsored by a family member in Canada; and economic, which refers to people with highly sought-after professional skills, or those prepared to open a business or invest significantly in the Canadian economy.

Finally, on November 1, 2001, the 1976 Immigration Act was replaced by the Immigration and Refugee Protection Act. The new law maintains many of the principles and policies set out in the previous law, in particular the different categories of immigrants. It also expands the family class to include same-sex couples and common-law relationships. This law is the cornerstone of Canada's current migration policy.

The Immigration and Refugee Protection Act, which was passed on November 1, 2001, provides an additional argument in favour of holding a national immigration month every year in November. I would also add that this month is a good one for organizing parliamentary activities, since the House of Commons and the Senate are generally in session at that time of year. What's more, apart from Remembrance Day, Parliament's event calendar is relatively light in November, leaving room for other national celebrations.

National immigration month would undoubtedly be an opportunity to highlight the contributions of our immigrant communities. The federal government has an important role to play in these celebrations, in particular, the Department of Canadian Heritage, Immigration, Refugees and Citizenship Canada, and of course, our Parliament. We must also give our

immigrant communities a place and make them more visible. Their involvement in our communities deserves to be better known and recognized.

Colleagues, I'd like to say a few words about my own immigrant background, if there's enough time. I was born in Bafia, in a small village in Cameroon with neither water nor electricity. I was the 18th of 19 children, six of them girls. I was the only one of those girls who had a chance to go to school. I was also the only one who immigrated to Canada in 1986 thanks to my husband, a grant recipient from the now-defunct Canadian International Development Agency, or CIDA.

After obtaining his PhD in communications, my husband was due to return to Cameroon and teach at the École supérieure internationale de journalisme in Yaoundé, but after he got his degree, we chose to stay in Canada to provide better living conditions for our four children, three of whom were born here in Canada. I'm proud to say that every member of my family is now contributing to our country's prosperity through our entrepreneurial initiatives.

As you can see from my story, Canada is fundamentally a land of immigration. Immigration has shaped the country we know today. In fact, both Conservative and Liberal prime ministers have celebrated this fact in a non-partisan way over the last few decades. In a 2012 *Globe and Mail* article, the Right Honourable Stephen Harper said the following, and I quote:

[*English*]

This government believes Canada needs immigration, benefits from immigration and that those needs and benefits will become even greater in the future if this is done correctly.

Honourable colleagues, recognizing a month dedicated to immigration would send a powerful message to all Canadians and the international community.

Through this bill, we intend to recognize the builders of our country, celebrate our common heritage and continue to show our commitment to the values of inclusion, diversity and mutual respect. Immigrants are the past, the present and the future of Canada.

[*Translation*]

Honourable senators, that is why I'm urging you to vote quickly in favour of Bill C-286, which seeks to designate the month of November as national immigration month in Canada.

To this end, I sincerely believe that your contributions to this debate would be very valuable, especially if you were to answer the following questions: What is your personal immigration story or what are your origins? How has your community helped to build the Canada we know today? What can we do to improve the way we live together and change the way we look at immigration?

Thank you for your attention.

Hon. Senators: Hear, hear.

Hon. Marie-Françoise Mégie: Honourable senators, I rise today to speak in support of Bill S-286, An Act respecting National Immigration Month. As an immigrant myself, you will understand that I am very touched by this issue. I want to thank Senator Gerba for introducing this bill, which helps us to remember our history and our origins and to look to the future with hope.

In Canada, the waves of migration began in 1021 in the place we now call Newfoundland and Labrador, as Senator Gerba so aptly described in her history of immigration. Closer to home, the wave of Haitian migration took place in the 1960s and 1970s. These men and women fled the political and economic crises in Haiti under the Duvalier dictatorship and came to Canada in search of a better future. They brought with them a wealth of culture and unique skills that French-speaking Canada needed at the time.

Many of their achievements are documented in a book entitled *Ces Québécois venus d'Haïti*, which was published in 2007. Of the notable achievements presented in this book, we find the story of Dr. Yvette Bonny, who performed the first bone marrow transplant in a child in 1980 and who was a pioneer in all matters relating to sickle cell disease in Quebec.

In the education sector, there is professor Patrick Paultre, who established the largest research program in Canada on the behaviour of high-performance concrete structural elements under seismic loading.

In the field of sports, Bruny Surin participated in many prestigious international competitions, including the 1988 Olympic Games in Seoul, winning the gold medal in the 400 meters in 1996. He was also delegation head for the Canadian team at the 2024 Olympic Games in Paris.

• (1600)

In the engineering sector, Maxime Dehoux won the award of merit from the Association of Consulting Engineers of Canada and *Canadian Consulting Engineer* magazine for his contribution to the construction of the Canada-France-Hawaii Telescope. This list, although not exhaustive, illustrates how much their exceptional contribution continues to enrich our socio-cultural fabric.

This book is also about my own journey. I arrived in Canada on November 26, 1976, and like many immigrant professionals, I had to deal with the non-recognition of my medical degree. Once I overcame this obstacle and obtained my licence from the Medical Council of Canada in 1981, I was able to innovate in continuing education activities by developing a program focusing on medical care in the home. This led to writing of a book on home medical care, the creation of a palliative care home for the community of Laval, and my involvement in medical association activities. Now, for not quite a year, I am pursuing my commitment to serving in your company at the Senate of Canada.

Why is it necessary to dedicate a month to immigration?

That's the key question we're going to answer. Before explaining it, let me briefly remind you of some key immigration terms, including migration, immigration, emigration, refugees and temporary workers. These terms are often misunderstood and misinterpreted. According to Statistics Canada, migration refers to, and I quote, "Geographic movements of persons of a given population, involving a change in usual place of residence."

Migration can be intraprovincial, interprovincial or international. Immigration refers to the entry of people from another country. Every immigrant has first emigrated from somewhere, emigrated from another country. That goes without saying.

The other term that deserves particular attention is "refugee." Under international law, the 1951 Geneva Convention defines the term "refugee" as a person who leaves his or her country due to a well-founded fear of persecution. This person seeks refuge in another country. They don't enjoy the protection of their own country.

Therefore, when a person starts an asylum procedure, they can't be described as an "illegal migrant." That term has often been misused in the major debates about migrants using Roxham Road. You've likely heard it used a lot. The proper term is "irregular migrants."

Finally, there are also temporary workers, recruited by companies to alleviate labour shortages in various sectors in Canada.

During public meetings of the Standing Senate Committee on Social Affairs, Science and Technology, which was studying the issue of temporary and migrant labour in Canada, a number of employers spoke on the need for these workers. The Nova Scotia Seafood Alliance, for example, explained in its submission that, without temporary workers, the main challenge would be finding enough people in surrounding regions willing to accept seasonal employment. Other companies confirmed these statements.

To conclude this lexical portion of my speech, please keep these definitions clearly in mind. They can help us understand the issues surrounding this bill.

Let's think about the importance of immigrants in our country. Are they really indispensable to Canada?

On July 31, 2024, an article published in the magazine *L'actualité* entitled "Global population decline" examined the drop in birth rates worldwide. The article said that population renewal requires a birth rate of 2.1 children per woman. Currently, 54% of Western nations, including Canada, have birth rates below this threshold. According to the most recent Statistics Canada data for 2022, Canada's birth rate is 1.33 children per woman.

This drop in the birth rate directly affects the renewal of the workforce, that is, the number of employed individuals. The strength of the Canadian economy depends in part on the size of this working population, whose tax contributions are essential to financing our public services. What's more, the evolution of this workforce will be increasingly influenced by aging. Just imagine

that, by 2030, people aged 65 and over will account for 23%, nearly one-quarter, of Canada's population, or more than 9.5 million people.

Given this reality, immigration is not merely a solution, but a critical necessity if our economy is to survive. However, we must recognize that immigration shouldn't be seen solely as a means of filling labour shortages. It is also a strategic lever that brings innovation, entrepreneurial vitality and cultural diversity, all of which are essential to our prosperity. Without immigration, our economy could stagnate and our international competitiveness could suffer.

This migratory movement isn't unique to Canada, but rather is a global phenomenon. Many countries are facing similar demographic realities and are welcoming new populations to support their economies.

Honourable senators, to answer the central question of a month dedicated to immigration, this month would be an opportunity for each of us to share our little stories, our challenges, our personal or collective triumphs. Information activities can only benefit future generations. The same goes for passing on our cultural wealth, such as literature, music and even gastronomy. For my part, I'd like to share with you "Joumou soup," an emblematic dish featured on UNESCO's Representative List of the Intangible Cultural Heritage of Humanity. Don't worry, Haitian food doesn't contain cat meat or dog meat.

Why November? The choice of November for this recognition is not insignificant. As Senator Gerba pointed out, it coincides with a number of significant immigration-related events. These are: Francophone Immigration Week and the date of Royal Assent of the Immigration and Refugee Protection Act. If we are to move forward together, it is essential to value personal stories and celebrate the richness that everyone brings to our community.

I'll conclude with a short story from the *Canadian Parliamentary Review* about the migration of the Riley and Marc Arthur families from Alberta. I thought it was a good way of illustrating the basis of this bill, which shows that we are all immigrants, whether first-, second- or third-generation. So I hope to have all of your support for sending Bill S-286 to committee for study.

Thank you.

[English]

The Hon. the Speaker: Senator Simons, do you have a question?

[Translation]

Hon. Paula Simons: Yes. Senator, may I ask you a question?

Senator Mégie: Yes, with pleasure.

Senator Simons: Senator Mégie, you made a kind of joke about the horrible lie told by Donald Trump concerning people and dogs living in Springfield, Ohio. As I see it, this is so

horrible that it almost seems like a racist campaign, especially against people from Haiti. Personally, I'm always afraid that things happening in the United States will also happen in Canada.

Can you seriously tell me what a wonderful woman from Haiti like you feels when you hear the lies being spread by Mr. Trump and Mr. Vance, and when you see the violence inflicted on people living in Springfield?

• (1610)

[English]

How does it make you feel?

[Translation]

Senator Mégie: Thank you for the question and for your empathy. As you know, it's always tough when the lies are so big. Someone wrote to us on this very topic. This person attributed these words to Hitler, saying that when you want someone to absorb a lie, you tell the biggest lie possible and it becomes reality for everyone. Perhaps that's why he said that.

You know, when you're really hurt by something like that, it can't be undone. What can you do? We use humour to try to convince ourselves to move on. It doesn't mean you haven't been hurt, but the only way to get through it is to use humour.

Does that answer your question?

Senator Simons: Yes, thank you.

[English]

Hon. Ratna Omidvar: Honourable senators, I rise somewhat unscripted to speak to Senator Gerba's proposal to have legislation to approve a national immigration month, and I support this legislation, and I want to very quickly weigh in before my time in this chamber runs out.

I think you know the subject is personal for me. I came to Canada in 1981. I have held three citizenships in my life: I was born in India, so a citizenship by birth; I married an Iranian and went to live in Iran, so a citizenship of Iran; and this final, last citizenship, which I didn't get by default of birth or marriage, but a citizenship that I had to fight for, and perhaps because I had to fight for it, it is all the more precious to me.

Since I came here, I have seen how immigrants have shaped and continue to shape the narrative of this country and leave their imprint on our personality. Senator Mégie and Senator Gerba have both talked about their achievements in almost every part of our society, whether it is health, sport, music, literature or politics — even here in the Senate. I don't think I need to underline the fact that we need a month, in fact, and I just go back to the history of immigration.

In 1906, Canada is a tiny country. Whole tracts of it are unpopulated. Sir Clifford Sifton, then immigration minister, went personally — imagine this — to Eastern Europe, hung up his shingle and said, "We want you to come to Canada and help us settle our west." He chose Eastern Europe deliberately because of the expertise in cold-weather farming.

Poles came; Italians came; Ukrainians came; Germans came. I want to tip my hat, in particular, to the Ukrainian community because many years later, they were successful in helping us insert multiculturalism into our narrative here.

Later on, in 1975 — and I'm jumping ahead, of course — they were followed by the first wave of Ismailis who were expelled from Uganda, and I still look at that chair, and I imagine Senator Jaffer speaking about this. Those were followed — and Senator Harder has spoken about it often — by the waves of refugees from Vietnam and Indochina, where Canada had a shining moment, and we still continue to live off that shine, which is the shine of private sponsorship. They were followed by the Koreans, Croatians, Serbs, Pakistanis, Indians and Filipinos now.

The Standing Senate Committee on Social Affairs, Science and Technology was in New Brunswick last summer, and we came across a tiny community, and that community had lost population. No one was going to church; the schools had been emptied. And then the Filipino workers started to arrive. They arrived; they had temporary jobs. The employer was an enlightened employer and sponsored one family, who sponsored other families. Now, the church has a congregation, and the schools have kids. That small community has been revitalized.

There is, of course, an underbelly, and I don't want to deny the underbelly. We have to look at ourselves in the mirror and see ourselves for who we are: the disenfranchisement of the Japanese Canadians during the Second World War, the discrimination against the Chinese Canadians, and Senator Woo and Senator Oh had a wonderful exhibit about this.

This year I was at the Canadian Museum of Immigration at Pier 21, and, lo and behold, there was an exhibition — I believe engineered by Senator Bernard — on the history of the enslavement of Black people in Canada.

A month is maybe not enough, Senator Gerba, to peel all the onion layers — the good, the bad and the ugly — but a month is a place that we can hang our hat on, particularly in today's discourse, where things are, for the first time, beginning to shift.

We are not that much favourable to immigrants anymore. Perhaps that ugly narrative from the south of the border — I hope it won't creep in because in Canada, I believe, it is not a culture war; it is still a question of affordability and quality of life. But things change. Three years from now, I hope we'll be having a different conversation, but when this bill is approved, I know that immigrants will celebrate this month, Senator Gerba, by expressing their appreciation for the freedom, safety, prosperity and opportunity that they have enjoyed. I know that I will be doing so.

Thank you, colleagues.

Some Hon. Senators: Hear, hear.

Hon. Denise Batters: Senator Omidvar, thank you very much for your speech. In it, you mentioned the former immigration minister Clifford Sifton, and being of Ukrainian background myself, I'm certainly well aware of the important work that he did to promote immigration to Ukrainians and other Eastern Europeans.

One thing you mentioned in your speech was that you said that he actually went to Eastern Europe. I've never heard that story, and in doing a quick Google search, I couldn't find anything about it. Can you tell us more about that? Given the years that this was happening — in the late 1800s, early 1900s — I would like to hear more about this. I had never heard that version of Clifford Sifton's work experience before.

Senator Omidvar: Thank you, Senator Batters.

That story is in a history book. I forget the author. It is this much of a tome on the evolution of immigration in Canada. It remained with me because it is so vivid of the times when there were none of the emails, letters or recruitment strategy. I have heard that Canadian officials would go around those regions with a shingle tied to the back of their wagons saying, "Welcome to Canada; we need you."

I can get the reference for you.

Senator Batters: Thank you. Yes, certainly, I knew about the recruiting agents, and they were people whom Canada sent to Eastern Europe, but the minister himself at that time — I know when my grandparents came from Ukraine at that particular time, they came in huge boats, so I would just like to hear more about that.

If you could provide that, that would be wonderful. Thank you.

Hon. Yvonne Boyer: Thank you, Senator Omidvar, for your history and the issues that you brought up. I do have a question, and it has to do with your statement that whole tracts of Canada were unpopulated, when I do believe that it was populated by Indigenous people. Maybe it seemed unpopulated, but could you expand on that please?

• (1620)

Senator Omidvar: Thank you, Senator Boyer. I now understand why we are scripted by our staff, and rightly so. I should not have said that. It was populated, of course. Populated by Indigenous peoples.

I should take this opportunity also to say once again, and I have said it before, that the connections between Indigenous communities and immigrant communities are very fragile. They may not exist the way they should, and these are the only two populations in Canada that are growing. The Indigenous population is growing and immigrants are coming in. We need to find a way to have that conversation. Thank you for your question.

(On motion of Senator Atallahjan, debate adjourned.)

[Translation]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

SIXTH REPORT OF COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the sixth report (interim) of the Standing Committee on Rules, Procedures and the Rights of Parliament, entitled *Summary of Evidence: Committee Structure and Mandates*, tabled in the Senate on February 28, 2024.

Hon. Diane Bellemare: Honourable senators, I note that this item is at day 15. Therefore, I move the adjournment of the debate in my name for the balance of my time.

(On motion of Senator Bellemare, debate adjourned.)

[English]

STUDY ON SEAL POPULATIONS

EIGHTH REPORT OF FISHERIES AND OCEANS COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Martin, for the Honourable Senator Manning, seconded by the Honourable Senator Seidman:

That the eighth report of the Standing Senate Committee on Fisheries and Oceans, entitled *Sealing the Future: A Call to Action*, deposited with the Clerk of the Senate on Thursday, May 23, 2024, be adopted and that, pursuant to rule 12-23(1), the Senate request a complete and detailed response from the government, with the Minister of Fisheries, Oceans and the Canadian Coast Guard being identified as the minister responsible for responding to the report, in consultation with the Minister of Foreign Affairs.

Hon. Ratna Omidvar: Honourable senators, I rise to speak to the Standing Senate Committee on Fisheries and Oceans' report titled *Sealing the Future: A Call to Action*.

Let me congratulate my colleagues — in particular, the chair, Senator Manning — for this report in supporting the seal hunt in Canada. This is an important report as it examines Canada's seal populations and their impact on fisheries, ecosystems, seal harvests and the seal products industry. The study also highlights the cultural and economic significance of sealing for remote, coastal and Indigenous communities. It has many good recommendations that the government should carefully review and follow.

Colleagues, over the summer, I heard from the charitable sector about one set of recommendations, and I believe it is prudent that I put their concerns on the record. As you know, I have close ties with the sector and have championed them and their causes in the chamber.

Let me say at the outset, though, that it is not my intention to delay the adoption of the report or to propose any changes. However, I think we all know that committee study recommendations sometimes get actioned by government or by a legislator in either house. It is my hope that, should that happen, my comments on behalf of the sector can be considered, especially since the sector was not invited to appear as a witness.

While the report contains important recommendations and findings, recommendation 4 gives rise to concerns. Recommendation 4 calls on the Government of Canada to urgently review and amend the Income Tax Act and any other related acts to revoke the tax-exempt status of registered charities and non-profit organizations that allegedly produce or promote misinformation or disinformation about the seal harvest or the seal products industry. In addition, it requires charities and non-profits to disclose the identity of donors whose contributions exceed \$5,000.

The main objective of this recommendation, as stated in the report, is to counter what is described as misinformation and disinformation disseminated by certain animal welfare organizations about the Canadian sealing industry. According to the report, these organizations have misrepresented the scope, regulation and practices of sealing, which has harmed Indigenous communities that have engaged in humane and environmentally conscious sealing for generations. The report frames the recommendation as a necessary step toward truth and reconciliation.

While I understand the concerns about misinformation, I believe that this recommendation raises unintended consequences. Recommending amendments to the Income Tax Act to penalize charities and not-for-profits for alleged misinformation would set a dangerous precedent. As one of Canada's top charities lawyer, Terrance Carter, wrote:

This would open the door to permitting revocation of charitable status (for registered charities) and tax-exempt status (for non-profit organizations) to become a politicized tool that could be used against those charities and non-profit organizations that were alleged to be carrying out programs or activities contrary to the policies of the government in power at any given time.

Today, it's sealing, but tomorrow it could be health policy or any number of issues which organizations may hold views that challenge the government of the day.

We have already witnessed the consequences of politicizing charitable status. Between 2012 and 2015, the Harper government launched extensive audits targeting environmental charities, causing fear and uncertainty within the charitable sector. It was a way of using tax policy to silence dissenting voices.

If the government were to act on recommendation 4, the implication is clear: Any organization advocating a viewpoint at odds with the government's policy could be at risk of losing its tax-exempt status. This could chill free expression and stifle healthy policy debate, which is the cornerstone of a democratic society.

As the Muttart Foundation noted in response to a similar situation in Alberta where a public inquiry was launched into foreign funding of anti-oil activism:

Opinions — pro or con — are not misleading or false; they are opinions Disagreeing with government or with those involved in the energy industry is not evidence of wrongdoing; it is simply what happens in a free and democratic society.

The same principle applies here.

Also according to witness testimony at committee, the problem may not be with Canadian organizations. In response to Senator Colin Deacon's question about this, former Senator Hervieux-Payette said:

I don't have any recollection that it was a big group of Canadian organizations. We mostly know the American one. . . .

So colleagues, we should be careful about making sweeping changes that affect all the work for a very few.

Further, the Canada Revenue Agency, or CRA — I should stress this point — already has all the tools to determine whether the registered charity is meeting the public benefit test. Susan Manwaring of Miller Thomson — again another top legal mind on charities in this country — says:

The law currently requires a registered charity to operate without promoting misinformation and disinformation. If such activity is taking place CRA has the tools to audit and penalize or revoke the offending organizations charitable status.

The second part of the recommendation is equally concerning to the charitable sector. Requiring charities and non-profits to disclose the names of donors exceeding \$5,000 threatens the right of individuals — us included — to give anonymously. Many donors wish to remain anonymous for personal, cultural or other reasons. Forcing public disclosure could deter philanthropy, particularly in areas where supporting certain causes might expose individuals to risk or criticism.

• (1630)

Susan Manwaring said this recommendation could breach privacy laws and make it more difficult for charities to raise funds for the good work they do. The Canada Revenue Agency, or CRA, already has all the information about all the donors that it needs to audit and track inappropriate activity.

Colleagues, while I appreciate the intent behind this report to protect Indigenous practices and uphold truth, the mechanisms proposed in Recommendation 4 have severe unintended consequences that could go far beyond the reach of the sealing

industry. We must not allow the legitimate desire to counter misinformation to lead us down a path where charitable status is used as a tool to control speech or to silence. I hardly need to remind you that the charitable and not-for-profit sector plays a vital role in civil society, and we must safeguard its independence.

Let us work to address the concerns raised in the report without measures that could undermine the principles of free speech, charitable giving and democratic debate.

I wish to close again with the intent of my speech: It is not to hold up the report, or to amend it or delay it. It is, rather, to ensure that the concerns of the charitable sector are put on the record. Thank you.

Hon. Fabian Manning: Thank you, Senator Omidvar, for your words today and for discussing the issue with me prior to taking it here on the floor. I, too, am supportive of the charitable and not-for-profit sector throughout the country, especially in my own province of Newfoundland and Labrador, where I support many of them. They are doing great work and continue to do so.

Recommendation 4 came from discussions that we had at committee and with people in the industry who are concerned about the fact that there may be some charitable organizations in our country that use the money to spread disinformation about an industry that's vitally important to Newfoundland and Labrador, as well as to parts of Atlantic Canada, Quebec and throughout the country.

The recommendation is not asking for draconian measures to be made overnight. To be sure that everybody is aware:

Recommendation 4 (Modifications to the Income Tax Act)

The committee recommends that the Government of Canada urgently review and amend the *Income Tax Act* and all other related acts, as needed, to ensure that registered Canadian charities and non-profit organizations that produce or promote misinformation and/or disinformation about the seal harvest or seal products industry have their tax-exempt status revoked.

Senator Omidvar, is there an issue with a review being conducted as much as there's an issue with knocking on the door of some charitable organizations in the country that may be using their access to charitable status to spread disinformation?

Senator Omidvar: Thank you again, Senator Manning, for your work on this report. My response to you would be that the implications of a review could well open the door — I will just say this: I wasn't planning to take any questions on the report because, really, I was reading out the concerns of the sector. I wish you had called members of the charitable sector to committee to discuss the issue before coming to what I see as a fairly far-reaching recommendation.

Senator Manning: I certainly understand where you're coming from. I guess the question that has been asked to me since this became an issue over the past week or so is the following: If a charitable organization has nothing to hide, why would they be concerned about the fact of a review?

Senator Omidvar: Senator Manning, the CRA already has the tools to determine whether a charity is meeting the very high bar of the public benefit. Any charity at any time can be audited to determine whether charitable dollars are being used to promote the public benefit.

By the way, even though the CRA has issues, it does a pretty thorough job, an exhaustive job. I can tell you about charities that have been audited and have to stop doing all their work because they are being audited. The CRA often — in fact, in most cases — does not go to revocation; it goes to an administrative review. So the charity receives a letter that says, “We have found X, Y, Z — not great things — and we will give you so much time to correct them.”

Again, if the charitable sector had been called as a witness, they would have told you that the route already exists, and there is a big leap between conducting an audit and revoking charitable status.

Hon. Frances Lankin: Honourable senators, I hadn’t intended to speak today. I wasn’t prepared to speak, but I too don’t want to be the cause of holding up the passage of this report. A lot of good, hard work and careful consideration went into it.

I associate my remarks and concerns with Senator Omidvar’s presentation today, and I thank her for that. I also thank the committee for their work.

Let me just say the following: Having lived through the days of aggressive, politically contextual audits of many charities in this country, the CRA has a history of approaching these reviews in a way that shows an incredible lack of understanding of the complexity, the drive, the volunteerism and the impact on community that they are disrupting by the approach that they take.

Senator Omidvar is absolutely correct in that the tools exist within the current rules for the kinds of legitimate concerns that have been raised by the members of the committee in response to witnesses who came before them. That can be looked at and reviewed.

Just briefly, I want to talk about the issue of foreign dollars being funnelled into a Canadian charity for a political purpose or a political end and political goal that is not in keeping with the purposes of that charity. I also want to talk about the fact that there are already laws and rules that prohibit the flow of such money, unless there is a structure that is set up to enable it under the law.

For example, post-9/11, there was a great desire from Canadians to make donations that would be sent to New York and to the aid of the people there doing the tremendous reparation work of heart, soul and spirit, which needed to be done. At the time, as the president and CEO of United Way Toronto, we, under the rules — as was asked by many of our donors, by the way, and it was corporate donors included — established a cross-border agreement with a multi-charitable sector group that was established and recognized legally in New York in particular, but also in the United States. Our counterpart United Way played a large role in that.

We became responsible for stewarding those dollars. We had a cross-border agreement that was recognized by the CRA and had a rigidity to it, and appropriately so. The counterpart organization in the United States needed to respond and live up to that. We became the stewards of those dollars. That’s what charities do a lot. They steward the dollars of Canadians who wish to make a difference through the work of the charitable sector.

Like Senator Omidvar, over the course of the summer, I received calls and concerns from people whom we both know and have worked with for many years in the charitable sector. There was a sense of a chill. There was, as Senator Omidvar pointed out, a true sorrow and a simmering anger that nobody reached out to or asked them. I suspect it didn’t occur to the committee to do that in the deliberations. Reaching out is the sort of thing that a committee could do as master of its own business planning. That didn’t occur. It’s concerning that a report with the breadth of the recommendations subbed in section 4 might be taken as a signal to the Canada Revenue Agency, or CRA, in terms of a change of behaviour.

• (1640)

We have seen such behaviour before, which is problematic, and we have seen a huge effort that both Senator Omidvar and I took part in. A sectoral table was established for the charitable sector with the federal government, working with representatives of the CRA and many other departments of the federal government to enhance the relationship. In fact, having been appointed by the Harper government, I had the opportunity to chair a commission — a blue-ribbon panel, as it was referred to — to look into the issue of the rules around grants and contributions and where federal dollars go. One large part of that review involved the charitable sector. There is a very strong relationship between the federal government and the charitable sector. The work done through the sectoral round table produced many good recommendations, many of which have been acted upon.

The concern articulated by the sector and which Senator Omidvar referred to with respect to the privacy of donors is a very large issue. There are donors whom we have seen, all know and love to celebrate. You see their names on the wings of museums and hospitals or through the work we did in establishing community hubs in underserved neighbourhoods with high rates of poverty in Toronto. There are donors who are proud to have their names associated with those initiatives. In fact, in the community hub strategy, they were million-dollar donors for each of the hubs that we worked with. These are significant resources.

There were also donors in many phases of their lives who don’t wish to receive recognition. They are doing something and want their private business or family foundation business to stand for itself in their own eyes through the impact that they see they have, as reported back from the charities involved. There is a potential chill from that recommendation alone for certain donors — and they tend to be large-dollar donors, if we’re talking about anonymous donations. There is no reason, nor should there be, for their donations to be disclosed to Canada writ large. That’s not what the charitable sector is about.

I echo the concerns of the sector and the fine words of Senator Omidvar. While I don't want to hold up the report, I've talked to colleagues who agree that this is an incredibly important economic sector that has been misunderstood and could easily be undermined by the kinds of concerns that the committee raised in their report. I appreciate why they went down that road. Again, the committee, as masters of their own business planning, would have every right to initiate a follow-up study to look into the concerns that have been raised.

In speaking with Senator Manning, I appreciate that he outlined for me that these recommendations will be there. The CRA and/or the government may or may not pick them up. If they did, there would probably be consultations, and that would be another opportunity for the charitable sector to weigh in. If there were changes — not regulatory changes, though, though that is how it could be done — to the governing legislation for the CRA with respect to the charitable sector, there would be an opportunity for input and it would come back before this chamber.

I don't think that's enough. I would respectfully ask for the committee to launch a second, more focused part of the study on this to hear from the charitable sector directly. Perhaps, giving wise thought to what they hear, they may amend or clarify the intent and the mechanisms by which their concerns can be addressed, those that exist and any others that may later be required.

My humble request to the committee is to give consideration to that thought and invite the charitable sector in to have a dialogue so that the concerns — which I believe are very valid and have seen first-hand in my previous role cause harm to the sector and the good work that it's trying to do — may be heard and addressed by the committee. Thank you very much.

The Hon. the Speaker pro tempore: Senator Manning, do you have a question?

Senator Manning: Yes, I do. I thank Senator Lankin for her words here today and for discussing her concerns with me beforehand with respect to the recommendation. I have no problem discussing with my committee the concerns that you have raised and some avenues to address them.

Our concern as a committee from day one was the fact that the sealing industry has been pilloried with misinformation and disinformation. It's an uphill battle. I had the opportunity to travel to Brussels, and trying to sell the industry to a world where lies and deception take over is very difficult. We're trying to do our part to not only protect the industry as it exists now but enhance it.

You spoke about foreign money being funnelled through some Canadian charities. If there are charities in our country that have foreign money being funnelled into them and are spreading disinformation about the sealing industry, wouldn't that be a concern and something that we should least find a way to get out to the public and to correct?

[Senator Lankin]

Senator Lankin: Absolutely, Senator Manning. I understand the work that went into that committee's report and the importance of the issue that you've raised. It is a very particular and specific context within Canada and other parts of the world with respect to the sealing industry.

Yes, you're right. My answer would be that ways in which people can raise this with the CRA already exist, as do ways in which the CRA can investigate this and take action with specific charities, which may or may not lead to revocation of their charitable licences to receive charitable donations and dispense them in this country.

Please know that I raise this not with respect to sealing, because I understand the concerns. In fact, if I may briefly tell you, many years ago in my trade union days, at a convention of the National Union of Public and General Employees, one of the leaders and delegates of the Newfoundland Association of Public Employees, or NAPE — whom you know well along with some of the people involved — stood up and offered a tremendous defence of the sealing industry. There was a well-intended but not well-understood resolution in support of calling for a ban on sealing coming forward on the floor of the convention. This delegate — and I wish that I could speak with the charm of the regional dialect of Newfoundland while telling you this story because it would be so much funnier to hear — said to the rest of us that he understood where our concerns came from. For example, they feel very strongly about the fact that the rest of us in Canada have no compunction about picking up a live lobster, dropping it into a pot of boiling water and hearing the screams emitted, which, of course, we know are from the steam coming out. It was so well done and eloquent to point to the fact that when you don't have a lot of information to weigh in on a subject and make strong pronouncements because it seems to be the politically correct thing to do at the time, it risks danger like the huge impact we have seen on the sealing industry.

• (1650)

I am with you. I am supportive of what the committee has done, but what you heard is only applicable to a small part of the charitable sector. You didn't hear about the far-reaching potential consequences of the recommendation that you put forward. That recommendation is well suited to the context of the report and already has all of the tools and mechanisms within the federal government and the CRA, in particular, to address those concerns.

I would once again urge you to take the time to hear from the sector and see whether or not there is a refinement of your recommendation that continues to meet the concerns you have and that brings to the table the actual understanding of the rules, mechanisms, laws and the enforcement. I believe you will see that it does exist, how it works, how it has worked in the past and that it seeks to ensure that, on the record, in the recommendations to government, there is a clear understanding that it's not the intent of the committee or of this august body to see unleashed on the charitable sector what could be an unpredictable and very unfortunate result should these recommendations be taken and applied widely.

The Hon. the Speaker pro tempore: Honourable senators, the time has expired. Are senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker pro tempore: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

[Translation]

AUDIT AND OVERSIGHT

TWELFTH REPORT OF COMMITTEE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Klyne, seconded by the Honourable Senator Bellemare, for the adoption of the twelfth report (interim) of the Standing Committee on Audit and Oversight, entitled *Implementation of the risk-based internal audit plan*, presented in the Senate on June 17, 2024.

Hon. Raymonde Saint-Germain: Colleagues, shortly before we adjourned for the summer on June 18, the day after the Standing Committee on Audit and Oversight tabled its twelfth report, I began my speech by reiterating the importance of this committee and its responsibilities. To avoid any ambiguity as to my support for such a committee, I'd like to point out that I, along with my colleague Senator Dean, was one of the main architects and supporters of its creation. There's no doubt in my mind that this is the audit and oversight model best suited to our institution.

When this report was tabled, I also expressed my surprise that certain information contained in the committee's report had not been discussed with the members of the Standing Committee on Internal Economy, Budgets and Administration. Consequently, the members can't get answers to their questions. That is why I adjourned said motion.

Colleagues, it is important to rigorously lay the foundations of this new standing committee and ensure that, while doing its work independently of the Internal Economy Committee and with sufficient means, it doesn't lose sight of the meaning of its mission.

With this in mind, my comments today will be more of a warning than an objection.

I want to share two parts of this 12th report that concern me. The first is the size of the budget requested and the number of permanent human resources. When the chief audit executive begins their work, it is normal for that individual to partner with competent staff. That being said, I wonder if all the requested staff should be hired on a permanent basis from the start. Wouldn't it be better to evaluate the needs at the end of the first

two planned audits? The budget allocated for this already includes a significant reserve, meaning an unspent amount. I think it will be important not to over-budget.

My second consideration is the interface with the Senate Administration. The intention behind creating this standing committee was to optimize every aspect of our management by leveraging the committee's findings and recommendations. This calls for effective and constructive collaboration with members of the administration, senators and their offices, while respecting the independence of the auditors.

Given the streamlining measures the Internal Economy Committee is imposing on the entire administration, including the hiring freeze and other efficiency measures, I encourage the committee to take those measures into account and not duplicate the administration's work. There can be a fine line between the Internal Economy Committee's ongoing responsibility to provide accurate, validated data and the Audit Committee's responsibilities. I am obliged to respect the in camera nature of the Internal Economy Committee's discussions, but I will say that I'm very concerned about this. I believe there's a real risk of duplicating activities and using double the resources. I therefore encourage the two committees to engage in more seamless communication about this.

As such, I will examine the results of your work between now and the tabling of the Audit Committee's report for the next financial year in light of these two elements, among others. In the meantime, I have every confidence that you will exercise your mandate judiciously given your desire to help optimize the management of public funds in this instance.

Thank you. *Meegwetch.*

[English]

Hon. Percy E. Downe: I wonder if Senator Saint-Germain would take a question.

Senator Saint-Germain: One, yes.

Senator Downe: Thank you. Your speech was very carefully worded and diplomatic, but I wasn't clear on something. You said that you understand the independence that the Committee on Audit and Oversight needs. You understand the resources they need, but you seem to have concerns on both files. I wasn't clear on exactly what your concerns were on those two issues.

Senator Saint-Germain: I'll try to bring greater clarity to the issues. My first point is with regard to a sort of duplication between both committees, the Committee on Internal Economy, Budgets and Administration, and the Committee on Audit and Oversight. From the beginning, I would caution the Committee on Audit and Oversight to make sure that they understand and enforce their mandate in a way that would be complementary to the role of the Committee on Internal Economy, Budgets and Administration, which still has to bring estimates that are validated and even audited and which then will also be audited by the Committee on Audit and Oversight.

My second point is that it's not because the Audit and Oversight Committee is created — and I understand they need resources from the beginning and deserve treatment that is different from the other directorates and to not be subjected to the restrictions and measures we have taken to make sure, for instance, that the hiring is frozen, with exceptions, in other directorates.

At the same time, I believe it's important that this committee do not plan for permanent resources without being prudent, without having restraint and without taking — perhaps over the first two years — the time to see the amount and nature of permanent resources they would need.

This is my caution. Once again, I did not object to the report. I just wanted to make sure that we are starting on the right basis. Once again, I reiterate that not only was I one of the supporters of this committee, but I was very active, together with Senator Dean at the time, because we were certain that this committee was important and necessary. But it must be balanced and not become a big committee that would exist for itself and for its own interests.

Senator Downe: Would you take a second question?

Senator Saint-Germain: It must be a supplementary question linked to the first one, because the next item is a very important one, and I want to make sure I have enough time.

Senator Downe: In that case, on debate, Your Honour.

Honourable senators, I speak as a founding member of the Committee on Audit and Oversight and one who was here through what I call “the troubles,” when the Auditor General came in and found a host of problems in the administration and the rules of the Senate, some of which were overturned over time, but the Senate collectively decided we had to take action. Senator Harder, who is speaking later today, was the government leader at the time, and he was a driving force in emphasizing the importance of an independent Committee on Audit and Oversight.

• (1700)

The members of that committee spent a long time. Senator Wells was the chair at the time. They found two outstanding external members — highly qualified chartered accountants, CAs as they were called at the time — who had wide board experience on banks, Crown corporations and in private enterprises. They were experts in the field. They know far more than anyone in the Senate, I think, with the possible exceptions of Senator Marshall and Senator MacAdam who were former auditors general in their respective provinces.

The key point I want to stress is that this committee has to be fully independent. Naturally, there will be tension at the Internal Economy Committee because things are changing. The status quo is not staying the same; it is changing. But for this committee to be truly independent, they not only need the resources; they need the cooperation of all the senators. Otherwise, in five or seven years, we will be back where we were a number of years ago with problems, being asked quite correctly by the public how the Senate is spending taxpayers' funds.

[Senator Saint-Germain]

I stand to be corrected, but I think it is the only committee in the history of the Canadian Parliament that has two external members. I hope people take the opportunity to meet them. You can't help but be impressed by their abilities and their experiences. It is a real credit to them that they have stepped forward to help us with our troubles.

With all respect, I think Senator Saint-Germain's concern about not being permanent and whether they need the resources on an ongoing basis — we are really trying to nickel-and-dime what has to be a priority for the Senate, which is getting our own house in order as quickly as possible.

Thank you, Your Honour.

(On motion of Senator Martin, debate adjourned.)

THE SENATE

MOTION TO CALL ON THE GOVERNMENT TO ADOPT ANTI-RACISM AS THE SIXTH PILLAR OF THE CANADA HEALTH ACT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator McCallum, seconded by the Honourable Senator LaBoucane-Benson:

That the Senate of Canada call on the federal government to adopt anti-racism as the sixth pillar of the *Canada Health Act*, prohibiting discrimination based on race and affording everyone the equal right to the protection and benefit of the law.

Hon. Bernadette Clement: Honourable senators, I note this item is at day 15. I am not ready to speak at this time. Therefore, with leave of the Senate and notwithstanding rule 4-14(3), I move the adjournment of the debate for the balance of my time.

The Hon. the Speaker pro tempore: Is leave granted, honourable senators?

Hon. Senators: Agreed.

(Debate adjourned.)

MOTION CONCERNING BILLS WITH A “NOTWITHSTANDING CLAUSE”—DEBATE ADJOURNED

Hon. Peter Harder, pursuant to notice of May 23, 2024, moved:

That the Senate express the view that it should not adopt any bill that contains a declaration pursuant to section 33 of the *Canadian Charter of Rights and Freedoms*, commonly known as the “notwithstanding clause.”

He said: Honourable senators, let me begin with an excerpt from *Notwithstanding . . . Canada*, a book on the history of the constitutional discussions that took place in the late 1970s and early 1980s. Speaking to the television cameras pointing directly at him, Prime Minister Pierre Elliott Trudeau said:

There are some powers that shouldn't be touched by government, that should belong to the people and that is why we call it the people's package It is a question of what basic fundamental rights of the people are so sacred that none of us should have jurisdiction in order to infringe those rights.

Prime Minister Trudeau's message was abundantly clear: Basic, fundamental rights should not be infringed by governments. Yet section 33 of the Charter of Rights and Freedoms, also known as the "notwithstanding clause," is antithetical and, indeed, hypocritical to the purposes of the Charter itself. This section allows Parliament and legislatures to violate the rights found in sections 2 and 7 to 15 of the Charter — our fundamental freedoms, our legal rights and our equality rights — without judicial recourse.

The acceptance of this section is well-documented as a political compromise from the federal government in exchange for the patriation of the Constitution and the inclusion of the Charter itself.

In earlier discussions on patriation, as written by Roy Romanow, the attorney general of Saskatchewan during these deliberations, the provincial suggestion to insert a general non-obstante clause was rejected by the federal government:

. . . on the grounds that it would defeat the very purpose of entrenchment, namely, a guarantee of rights from abuse by governments.

Unfortunately, this concession was the only one that would solidify the support of nine provinces, minus Quebec, and the federal government but with conditions. One condition was that it didn't apply to the Charter writ large and the second was that the legislative override provisions contain a sunset period of five years. The intent was that this clause be used with utmost restraint.

At the time, justice minister Jean Chrétien referred to the section as ". . . a safety valve which is unlikely ever to be used except in non-controversial circumstances . . ." and, to quote further, ". . . to correct absurd situations without going through the difficulty of obtaining constitutional amendments"

This brief historical allegory is context for caution about the normalization and abuse of its use at the sub-federal level in recent years. Sadly, this normalization has been extended when the Leader of the Opposition hinted at its use should his party form government — something never done federally in 42 years.

This attracted my attention and is the subject of this concern. Numerous federal leaders have acknowledged the shortcomings of section 33. In 2006, then prime minister Paul Martin pledged

that, if re-elected, his government would remove the federal government's ability to use the notwithstanding clause, describing it as:

. . . a hammer that can only be used to pound away at the Charter and claw back any one of a number of individual rights

Prime minister Brian Mulroney, during the Meech Lake negotiations, called the notwithstanding clause ". . . that major fatal flaw of 1981, which reduces your individual rights and mine." He also stated that any constitution that:

. . . that does not protect the inalienable and imprescriptible individual rights of individual Canadians is not worth the paper it is written on.

These are damning words from respected leaders. Proponents for the inclusion of section 33 were for the protection of unenumerated rights while safeguarding institutions, including the constitutional independence of our courts. It was never about undermining constitutionally entrenched individual rights. This defeats the purpose of entrenched rights altogether.

The original drafters of section 33 — Jean Chrétien, Roy Romanow and former Ontario attorney general Roy McMurtry — made this crystal clear when they denounced Doug Ford's first use of the clause provincially in 2018 to circumvent proper process.

In a collection of essays entitled *The Notwithstanding Clause and the Canadian Charter*, edited by constitutional expert Peter Biro, lawyer Gregory Bordan wrote the following:

Until recently, the nearly universal assumption was that recourse to the notwithstanding clause was an exceptional measure that would be accompanied by political debate and would carry political consequences, an assumption which has largely been proven true over the past 40 years. This can no longer be assumed to be true. Indeed, the reality on the ground may already have changed.

I can't fault this conclusion. The reality on the ground changed because the political landscape changed since 1982. There has been a coordinated push from provincial, largely populist governments to reassert what they describe as legislative supremacy over existing constitutional and Charter supremacy. We are now in an age of head-butting between bullish majoritarian premiers and those governance and accountability structures attempting, for good reason, to rein them in.

• (1710)

There is a fundamental misunderstanding by these premiers that winning a majority gives democratic legitimacy to the use of section 33. In Ontario, Doug Ford stated that this is equivalent to the approach of Quebec's Coalition Avenir Québec, or CAQ, government for Bill 21 on laicity and Bill 96 on language rights, as well as Scott Moe's Saskatchewan Party for his naming and pronoun policy. There is an obvious majoritarian bent for using the notwithstanding clause that denounces judicial decisions on

constitutionality or, worse, nullifies them through pre-emptive use of section 33 — that is, the use of the notwithstanding clause before its challenge through the court process.

In my view, pre-emptive use is an admission that the legislation would otherwise have violated constitutionally entrenched Charter rights. If your legislation is constitutional, defend it as such. That ought not be a controversial statement.

Pierre Poilievre is following in their tracks. He has previously said he would use the notwithstanding clause to overturn a 2022 Supreme Court ruling on parole ineligibility. He also hinted at its use for other criminal law purposes when speaking to the Canadian Police Association in April. He said:

I will be the democratically elected prime minister — democratically accountable to the people, and they can then make the judgments themselves on whether they think my laws are constitutional . . .

This phraseology sounds eerily familiar to that of the provincial premiers, but that fundamental misunderstanding remains. Being “democratically accountable to the people” means being accountable to all people, not solely those who voted for you. In 1982, this was part of the reason for the five-year sunset clause. If legislatures have the last word on rights, the ballot box was deemed the appropriate place to accept or renounce a curtailing of those rights.

But the politics of today don’t align with those of four decades ago. Today, we see politics of personal attack over politics of public policy. We see division, disinformation and more rhetoric than substance. These amount to an increasingly disassociated and disengaged electorate who are tired of the clickbait headlines or overtly partisan publications or who, on the other hand, engage with and encourage vitriol and simplistic three-word tag lines.

For the ballot box to be a proper venue of rights determinations, we need an engaged and informed electorate, which is sorely lacking today.

Sabreena Delhon, the CEO of the Samara Centre for Democracy, agrees and has stated:

Section 33 assumes a third party in the perpetual dialogue between the courts and legislatures in Canada, that being an active, informed and empowered electorate.

Canadian politics are arguably the most toxic they have ever been. Majoritarian populist rule breeds distrust in democracy. Findings from the International Institute for Democracy and Electoral Assistance identify the drivers of democratic backsliding. These include the rise of populist parties in government, societal and political polarization, the mimicking of antidemocratic behaviour of others and the spread of disinformation.

This is where the use of the notwithstanding clause falls short, where the idea of tyranny of the majority creeps into the discussion and where minority rights can be tossed by

the wayside. And this is where the Senate can play its constitutional role: While the notwithstanding clause can gag the judiciary, the Senate is free to speak on its use.

In the 2014 *Reference re Senate Reform*, the Supreme Court of Canada reaffirmed that:

. . . each region was provided equal representation in the Senate irrespective of population. This was intended to assure the regions that their voices would continue to be heard in the legislative process even though they might become minorities within the overall population of Canada . . .

Paragraph 16 of that reference speaks to the Senate’s constitutional representation of people largely underrepresented in the House of Commons, such as Aboriginal groups and linguistic, ethnic, gender and religious minorities. At paragraph 57, the court continues:

. . . it is clear that the intention was to make the Senate a thoroughly independent body which could canvass dispassionately the measures of the House of Commons . . .

It continues, saying:

The framers sought to endow the Senate with independence from the electoral process to which members of the House of Commons were subject, in order to remove Senators from a partisan political arena that required unremitting consideration of short-term political objectives.

The Senate has a constitutional role to protect minorities, regional or otherwise, and to do so independently. Use of the notwithstanding clause is definitionally short-term and political. Its use to trounce the rights of minorities at the whim of an elected majority is counterintuitive to the Senate’s constitutional role — a Senate that can’t be omitted from a federal section 33 process.

This is argued by Caitlin Salvino in her piece entitled *Notwithstanding Minority Rights: Re-Thinking Canada’s Notwithstanding Clause*. In it, she writes:

Minority groups are vulnerable to targeting through the notwithstanding clause because the democratic accountability processes embedded in section 33 cannot safeguard their interests. Consequently, the political risk linked to the notwithstanding clause is a weak deterrent when minority groups are the target.

Ms. Salvino goes on to say that:

. . . elected legislators often ignore the rights of minorities who lack political representation and are not required as a voting bloc . . .

She continues:

. . . the legislature primarily represents the interests of the majority who may be apathetic to or actively support the targeting of minority groups. These instances create situations in which governments can invoke the

notwithstanding clause to target minority groups with little opposition in the legislature or need for a fulsome deliberation. . . .

I share those fears. Majority apathy to minority rights, the minimal impact of minority groups at the ballot box and barriers to voting, all amplified under the hypocritically named Fair Elections Act — introduced, by the way, by then-Minister Poilievre — are reflections that the Senate, especially in a more independent context, must consider.

I believe it would be beneficial for the Senate to contemplate a checklist of sorts should we ever receive government legislation invoking the notwithstanding clause from any political stripe. A non-exhaustive list would include the following: One, is the use of the notwithstanding clause pre-emptive or in response to a decision of the Supreme Court? Two, has the Minister of Justice tabled a Charter statement coordinate with the bill at hand? Three, has a public consultation process been held, and has the House undertaken a comprehensive committee process? On this point, if the electorate is the final arbiter for uses of section 33, they must be notified and understand what's at stake. Four, has the government used time allocation to curtail debate?

Colleagues might have other suggestions, and I am eager to hear them.

Another idea, which would apply in the other place, would be a legislative limit, as Andrew Coyne wrote this summer, or, preferably in my view, to require a supermajority of 60% to 66% to invoke the notwithstanding clause.

This was proposed by Alberta's Peter Lougheed. Lougheed was a fierce defender of the notwithstanding clause and, in a 1991 lecture, suggested a reform package to prevent its abuse. As one of the framers, his package makes it clear that governments are abusing the purpose of section 33 as originally intended and understood by him.

Beyond the requirement of a supermajority of 60%, the contents of his package included: One, clearly outlining the rationale for the use of section 33 so that the electorate can evaluate the trade-offs; and two, disallowing the pre-empting of judicial review. In his words:

. . . such an action is undemocratic in that the purpose of section 33 was ultimate supremacy of Parliament over the judiciary not domination over or exclusion of the judiciary's role in interpreting the relevant sections of the Charter of Rights.

With these potential reforms, I would be far more comfortable with the notwithstanding clause's inclusion in our Constitution. It's unfortunate that the purpose of the clause as originally intended has been so abused by populist governments at the subnational level in Canada.

I will close with an excerpt from lawyer Marion Sandilands, who contributed a piece to the essay series I mentioned previously. It reads:

The taboo against the use of section 33 has been lifted . . . This is especially worrying in a world with liberal democracies under threat and rising populism everywhere, including Canada. Strong constitutions protect against the vagaries of populism and abuses of power.

• (1720)

The Hon. the Speaker: Senator Harder, your time has expired.

Senator Harder: May I have 10 seconds?

The Hon. the Speaker: Are senators in agreement that Senator Harder can finish his speech?

Hon. Senators: Agreed.

Senator Harder: Thank you. The excerpt continues:

The stakes cannot be any more stark than this: these uses of the override weaken Canada's Constitution when it is needed the most.

We are caught in a fight between legislative supremacy and judicial supremacy. The question is not which should prevail. The question is this: What about constitutional supremacy?

Thank you.

The Hon. the Speaker: Senator Lankin has a question. Senator Harder, will you —

Senator Plett: No, the time is up.

The Hon. the Speaker: Leave is not granted.

(On motion of Senator Martin, debate adjourned.)

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO STUDY THE GREAT LAKES FISHERY COMMISSION

Hon. Fabian Manning, pursuant to notice of September 18, 2024, moved:

That the Standing Senate Committee on Fisheries and Oceans be authorized to examine and report on the Great Lakes Fishery Commission and its work;

That the committee report its findings to the Senate from time to time and submit its final report no later than May 30, 2025;

That the committee retain all powers necessary to publicize its findings for 180 days after the final report is tabled; and

That the committee be permitted, notwithstanding usual practices, to deposit reports on this study with the Clerk of the Senate, if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

COMMITTEE AUTHORIZED TO STUDY OCEAN CARBON
SEQUESTRATION

Hon. Fabian Manning, pursuant to notice of September 18, 2024, moved:

That the Standing Senate Committee on Fisheries and Oceans be authorized to examine and report on ocean carbon sequestration and its use in Canada;

That the committee report its findings to the Senate from time to time and submit its final report no later than May 30, 2025;

That the committee retain all powers necessary to publicize its findings for 180 days after the final report is tabled; and

That the committee be permitted, notwithstanding usual practices, to deposit reports on this study with the Clerk of the Senate, if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

LEGAL AND CONSTITUTIONAL AFFAIRS

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE
INCLUSION OF INUKTUT ON FEDERAL ELECTION BALLOTS—
DEBATE ADJOURNED

Hon. Brent Cotter, pursuant to notice of September 19, 2024, moved:

That pursuant to section 18.1 of the *Canada Elections Act*, the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on Elections Canada's plans for a pilot project to include Inuktitut on federal election ballots in the electoral district of Nunavut; and

That the committee have permission, notwithstanding usual practices, to deposit reports on this study with the Clerk of the Senate if the Senate is not then sitting, and that the reports be deemed to have been tabled in the Senate.

He said: Honourable senators, this is an unusual order of reference motion, and I would like to spend a few minutes providing you with the background.

On September 12, 2024, as Chair of the Standing Senate Committee on Legal and Constitutional Affairs, I received a letter from Stéphane Perrault, Chief Electoral Officer, outlining Elections Canada's plans for a pilot project to include Inuktitut on federal election ballots in the electoral district of Nunavut.

This pilot stems from a recommendation in the June 2022 report by the House of Commons Standing Committee on Procedure and House Affairs entitled *The Inclusion of Indigenous Languages on Federal Election Ballots: A Step towards Reconciliation*. The report advocates for the inclusion of Inuktitut on federal ballots as a step toward addressing barriers faced by Indigenous electors.

There are currently over 70 Indigenous languages spoken in Canada, but there is a significant gap between the number of Indigenous people and those who speak an Indigenous language. For Inuit languages, Inuktitut is the most widely spoken, with 39,770 speakers reported.

Indigenous electors face significant barriers in federal elections, including language barriers, remoteness and difficulty in recruiting election workers. In fact, turnout for Indigenous electors is consistently lower. For example, during the forty-third federal election, the turnout for Indigenous electors living off-reserve was 66.4% compared to 77.5% for non-Indigenous voters, and, for on-reserve electors, the turnout was only 51.8%.

As noted in the report from the Standing Committee on Procedure and House Affairs, language barriers are one of the key reasons Indigenous electors are more likely to report not voting due to issues related to the electoral process. Of Indigenous electors, 21% cited such reasons compared to only 12% of non-Indigenous electors.

During the 2019 federal election, Nunavut's municipal election ran simultaneously, and Elections Nunavut produced materials in four languages, including Inuktitut, whereas Elections Canada did

not. This caused confusion among electors and led to complaints about materials in the Elections Canada process being available only in English and French.

Lori Idlout, MP for Nunavut, also raised concerns about language barriers in Nunavut's federal elections, where many elders who do not speak English or French face difficulties in casting their votes. Ms. Idlout had made several key recommendations to the Standing Committee on Procedure and House Affairs during their study of the inclusion of Indigenous languages on federal election ballots, including hiring full-time Indigenous interpreter-translators for future elections, improving the complaints process for unilingual Indigenous people, studying Indigenous governance as part of reconciliation and building trust by respecting Indigenous cultures.

Importantly, for our purposes today, she also advocated for Indigenous languages to be included on federal ballots, particularly in communities facing language loss, such as communities across Nunavut, and she asserted that Elections Canada should learn from Elections Nunavut and run elections in four languages.

During the forty-fourth general election, Elections Canada distributed bilingual brochures across the country and trilingual brochures in Nunavut, including Inuktitut. Despite these efforts, much more still needs to be done to support Indigenous language inclusion on federal ballots.

To return to the motion in front of us, this pilot proposed by Elections Canada would allow candidates in Nunavut to submit their names in Inuktitut, in addition to English and French, on regular ballots. Voters using special ballots would also be able to write candidate names in Inuktitut.

Now we come to why this question is before us. It is not a permanent change but a temporary pilot under section 18.1 of the Canada Elections Act.

Let me read to you what that provision states:

The Chief Electoral Officer may carry out studies on voting, including studies respecting alternative voting processes, and may devise and test an alternative voting process for future use in a general election or a by-election. Such a process may not be used for an official vote —

— here I want to emphasize what follows —

— without the prior approval of the committees of the Senate and of the House of Commons that normally consider electoral matters or, in the case of an alternative electronic voting process, without the prior approval of the Senate and the House of Commons.

The goal here is to assess how these changes can improve accessibility for Inuktitut speakers, with the potential for future legislative adjustments. However, the implementation of this pilot depends on the timing of the next election, of course, and our approval.

The Legal and Constitutional Affairs Committee of the Senate has experience handling similar requests, though not recently. In 2010, we approved a pilot for electronic assistive voting devices for persons with disabilities.

• (1730)

In this exercise, subject to the approval of steering, it would be the intention of the committee to invite the Chief Electoral Officer and officials to present the details of this project, although we may also wish to hear from additional witnesses.

I end on this point. The opportunity to vote is the most significant right of citizens in a democracy. Members of all parties in the other place recognized the language barrier facing many citizens of Nunavut in the exercise of that right to vote. They proposed a route to address this deficit. Referring this motion to the Legal Committee advances this unobjectionable objective. Declining to do so, in my opinion, constitutes a barrier to true democracy for many of our citizens and a barrier to inclusion for our Nunavut friends. I encourage the Senate to authorize the Standing Senate Committee on Legal and Constitutional Affairs to study and report on this pilot project. Thank you.

(On motion of Senator Martin, debate adjourned.)

(At 5:31 p.m., the Senate was continued until tomorrow at 2 p.m.)

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